

TESTIMONY

TAKEN BY

U. S. Congress,
"

THE JOINT SELECT COMMITTEE

TO INQUIRE INTO

THE CONDITION OF AFFAIRS

IN

THE LATE INSURRECTIONARY STATES.

SOUTH CAROLINA.

VOLUME I.

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THE KU-KLUX CONSPIRACY.

This report consists of thirteen volumes.

Volume I contains the report of the committee and the views of the minority.

Volume II contains the testimony taken by the committee in relation to North Carolina, and the report of the trials in the United States circuit court held at Raleigh, North Carolina.

Volumes III, IV, and V contain testimony taken by the committee in relation to South Carolina, and the report of the trials in the United States circuit court held at Columbia, South Carolina. Index to the three volumes is contained in volume III.

Volumes VI and VII contain testimony taken by the committee in relation to Georgia. Index is contained in volume VI.

Volumes VIII, IX, and X contain testimony taken by the committee in relation to Alabama. Index is contained in volume VIII.

Volumes XI and XII contain testimony taken by the committee in relation to Mississippi. Index is contained in volume XI.

Volume XIII contains miscellaneous testimony taken by the committee, testimony in relation to Florida, and miscellaneous documents.

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- Carpenter, J. D., testimony of, 965; democrat; Spartanburgh County; merchant; denies knowledge of John B. Howell, of Rutherford, 966.
- Carpenter, Richard B., testimony of, 226-272; has lived in the State since 1867; was register of bankruptcy, judge of the first circuit, and the reform candidate for governor; his circuit embraced Charleston and Orangeburgh Counties; canvassed every county of the State except Horry, 226; thinks there is a great deal of discontent, and that there have been many cases of violence in the State; thinks a secret organization has existed in perhaps eight or ten counties, and that the causes of that organization are purely local; assigns therefor corruption of the State legislature, lavish pardons issued by the governor, the character of persons appointed to fill offices under the executive, the organization and arming of the militia of the State, the election law and the manner in which it was executed, and the general character of the legislation, 227-229, 237, 238; says there have been a great many outrages other than by the Ku-Klux; the Loyal League very efficient in mischief; instances meetings broken up by colored persons, as he believes, by the instigation of certain white people; never heard any expression of hostility to the Government of the United States during his campaign; cause of all the complaints the incapacity and venality of the State government; several men killed during the campaign; not charged to the Ku-Klux; colored men voting the reform ticket to be shot by order of the League, proclaimed publicly in more than one place; reform challengers seized, and their tickets taken away; intimidation of reform voters, 229, 230; the reform movement had no national significance, simply to remedy the crying evils of the local administration, 230; official statement of the public debt of the State for year ending October 31, 1870, by the treasurer and comptroller general, 230, 231, 232; thinks neither of these papers is a correct statement of the debt of the State; says it does not include the liability of the State for the bonds, which, he asserts, have been hypothecated by Governor Scott; gives his opinion as to amount of bonds sold or hypothecated, 232; thinks the statement incorrect, as understating the debt in October, 1867, and that the bonds authorized by the legislature and those guaranteed by the State to the Blue Ridge Railroad Company, the Greenville and Columbia Railroad, the Spartanburgh road, and the Laurensburgh road, should be included in the present debt, 233; gives debt of the State as \$17,450,000; names owners

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- Chamberlain, D. H., testimony of, 48-59; is attorney general of the State and a resident since December, 1865; the enforcement of the law has been very much interrupted by Ku-Klux operations; many outrages, homicides, and whippings, 48; principally in the up country, in ten counties north and west of Columbia; believes that no information has, as yet, been obtained as to the individuals engaged in these violations, except in one instance; thinks these operations are carried on by means of an organization directed from some central source of authority; offenses notably committed in Spartanburgh, Newberry, Union, and York Counties; most general and numerous whippings in Spartanburgh County; there has been no convictions, and no arrests except in the case of the Ku-Klux wounded in the raid at Newberry Court-House; thinks, with the exception of the portions of the State named, the laws are generally executed and the rights of persons protected; his attention, as a public officer, has been called to these organized bands, 49; went to South Carolina from Massachusetts, and resides at Charleston; states common report as to the arming of the democrats about the time of the election in 1868; has no knowledge of any general arming of the republicans at that time; thinks there is an improved state of feeling since the passage of the enforcement act; the cause of this change, 51; has little hope of suppressing these outrages from legislation; gives his opinion as to the cause of these outrages, and an account of the abuses of the State government, 52; thinks the operations of the Ku-Klux are not confined to men of bad repute, but rather against certain men of the republican party than against the party itself, 53; Mr. Leahey, judge of probate in Newberry County, notified to leave, and his tender of resignation of office; its non-acceptance by the governor; he is lying out nights; thinks the Ku-Klux sometimes discriminate between good and bad men; republican majority in Newberry County about 1,300, 54; political status of the county offices in Union, Spartanburgh, York, Chester, Lancaster, Laurens, and Chesterfield Counties, 54, 55; thinks the charges of corruption of the legislature were usually attributed to the republicans, 55; Mr. Wallace, member of Congress, advised that it was not safe for him to return home; gives relative vote in the State, white and colored, at the election in March, 1868, 56; thinks a majority of the whippings, &c., has been committed upon colored people, and that the class who have suffered most have been the corrupt office-holders; cites instances of corruption upon the part of county officials; thinks there is no difficulty in convicting these criminals; gross charges of corruption made against the governor and the executive officers, 57; thinks that a man is safe in the hands of the Ku-Klux if he conducts himself decently; charges of corruption made against the land commission; purpose and object of that commission, 58; resolutions offered by, in the tax-payers' convention, 461, 486; letter of, on the situation in the State, 1250.
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- Hickling, Hampton, (colored,) whipped by Ku-Klux, (Merrill,) 1474; testimony of, 1564; republican, York County; farmer; visited seven times by Ku-Klux, 1564; whipped severely; identified Thomas Nichols, John Nichols, William Jackson, and Matthew Parrott, 1565; Sheriff Glenn, 1573.
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- Leslie, C. P., land commissioner, charges against, 830; desires to be placed right before the people, 832; statement of, in the Daily Guardian, contradicting a report in regard to land commission frauds, 1193.
- Levi, Reuben, killed by the whites at Chester, 1583.
- Lewis, Alfred, 418.
- Lewis, John, (colored,) testimony of, 435; republican, Spartanburgh County; farmer; whipped by Ku-Klux June, 1871, 436.
- Lewisville Station, difficulty at, 459.
- Leyton, Benjamin, whipped by Ku-Klux, 921.
- Liberia, negro emigration to, 1410.
- Lillis, J. S., has charge of State arms in Laurens, 1151.
- Limestone Springs, public meeting at, 755.
- Limestone Township, list of persons whipped and otherwise maltreated in, 897; nearly every negro who remained in, whipped by Ku-Klux unless an avowed democrat, 930.

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 Linder, Washington, whipped by Ku-Klux, 919.
 Lipscomb, Anthony, beaten by Ku-Klux, 897.
 Lipscomb, Colonel, burning of house of, 147.
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 Lipscomb, Harry, advice to Julius Cartrall, 425.
 Lipscomb, Henry, (colored,) testimony of, 681, republican, Spartanburgh County; whipped by Ku-Klux January, 1871, and ordered to leave, 681; identifies Bob Stacey and Barney Russell; threatened by Jim Russell, 682; beating of Gabriel Anstell by Ku-Klux; his daughter identifies Bob Stacey and Bob Gaffney, 683.
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 Martin, county commissioner, notified, 319.
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 McCallum, Gus., identified by Hamp Hicklin, 1564; by Martha Garrison, 1575.
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- Ku-Klux or whipping Hamp Hicklin, 1491; identified by Hamp Hicklin, 1564; identified by Martha Garrison, 1575.
- McCallum, Tom, identified by Hamp Hicklin, 1564; identified by Martha Garrison, 1575.
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- McClure, Alexander, visited by Ku-Klux, 1023.
- McCorele, Tom, identified by Owens as a Ku-Klux, 1397.
- McCrary, Isham, (colored,) testimony of, 538; republican, Spartanburgh County; farmer; whipped by Ku-Klux March, 1871, 538; identifies Barney Russell, 539 identifies Miles Mason, William Bush, and Berry Gilbert, 540.
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- McCraw, Richard, beaten by Ku-Klux, 897.
- McDaniels, Harry, shot, 1325.
- McDowell, member of legislature, visited by Ku-Klux, 316.
- McElwee, A. S., cyclops of Ku-Klux in 1868, 1456.
- McGill, Jesse, visited by Ku-Klux, 1408, 1478.
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- McLain, R. B., testimony of, 1278; democrat, York County; wheelwright; denies being a Ku-Klux, 1279; identified as a Ku-Klux by W. C. Owens, 1364.
- McLaughlin, George, and Lucy, beaten twice by Ku-Klux, 897; tried for stealing a plow, 909.
- McLean, J., whipped by Ku-Klux, 920.
- McMillan, John, identified by Lucy McMillan, 605.
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- McMillan, Lucy, (colored,) testimony of, 604; Spartanburgh County; visited by Ku-Klux; identifies John McMillan, Kennedy McMillan, Billy Bush, and John Hunter; house burned, 605.
- McUpson, Glovenor, maltreated by Ku-Klux, 898.
- McUpson, Swan, abused by Ku-Klux at a gathering, 614.
- Mebins, A. G., barn and stables of, burned, 1015.
- Merrill, Colonel Lewis, citizens of York co-operate with, 715; testimony of, 1463; in command of post at Yorkville; condition of affairs in the county, 1464; outrages; tearing up rails on the road before the arrival of the troops, 1465; raid on the county treasury, 1469; identification of Clawson, 1471; six murders by Ku-Klux, 1472; twenty-nine detailed cases of whipping, 1474; Rev. E. Hill's report of abuse to Major Merrill, 1477; affidavit of F. M. Davie, trial justice, 1479; thirty-four cases, 1479-81; apprehended attack on the camp, 1481, 1503, 1522; trials in the circuit court of York, 1487; Witherspoon's conference with, 1497.
- Militia, organization, &c., of the State, 146, 147, 210, 239; arming of the, 447, 462, 468; company of white militia raised, Duncan, captain, 778; arming of the negro militia a cause of disturbance, (Duncan,) 873, 880; arming of, unwise, (Butler,) 1205.
- Miller, Amos, conduct of, at an election-box, 726.
- Miller, Harry, an old man, whipped to death by Ku-Klux, 1481.
- Miller, Jerome, whipped by Ku-Klux, 983, 1071.
- Miller, Joseph, (colored,) testimony of, 600; republican, Spartanburgh County; farmer; whipped by Ku-Klux April 1, 1871, 600.
- Miller, Lot, alias Campbell, killed by Ku-Klux, 1473.
- Mills, John, killed by Ku-Klux, 982, 983; shot and throat cut, 999; a pardoned penitentiary convict, 1024; had been convicted of stealing cotton, 1039.
- Millwood, Richard, identified by Garner, 393.
- Mobley, June, organizer of a band of negroes; a member of the legislature, (Steadman,) 1019.
- Montgomery, Jacob, (colored,) testimony of, 695; republican, Spartanburgh County; farmer; whipped at a gathering by Ku-Klux April, 1871, 695.
- Moore, John S., identified, 290.
- Moore, John W., identified, 290.
- Moore, June, puts a card in the paper renouncing republicanism, 1407; his wife abused by Ku-Klux because her husband could not be found, 1477.
- Morgan, Chesterfield, abused by Ku-Klux, 898.
- Moses, Frank, speaker of lower house of legislature; gratuity voted to, (Chestnut,) 472; his horse-race, 739; purchases muskets and sells them to the State, 756.
- Moss, John, whipped by Ku-Klux, 1478.
- Moss, Murray, whipped by Ku-Klux, 922.
- Moss, William, (colored,) testimony of, 400; republican, Spartanburgh County; visited and shot at by Ku-Klux May 1, 1871; again visited and caught by Ku-Klux July 3, 1871, 400.
- Mullins, J. S., whipped for playing Ku-Klux, 1000, 1022, 1054.

Munro, Judge, defends the prisoner in jail, (Steadman,) 1021.

Murph, William, whipped by Ku-Klux, 922.

Nance, death of, by violence, 1248.

Nash, shot, 291.

Neason, John L., testimony of, 41-48; is a resident of Sumter County; lived previously in Savannah; is in the commission business and engaged in planting, 41; is visited by the Ku-Klux October, 1870, and compelled to discontinue his trade in seed-cotton, 41, 42, 43; details second outrage upon him by the Ku-Klux in March of this year, 42, 43, 44; was in the confederate army; never meddles with politics, 42; details manner of conducting his business transactions, 42, 43; outrage upon Davy Andrews; man whipped, and woman tarred and feathered; is visited again between the 1st and 5th of April, and the purpose stated by the party to put down all country stores and drive out all the republicans; the only stores interfered with were those kept by republicans, 44; thinks that every white man in his neighborhood is connected with the organization; has heard of operations by the organization in Kershaw and Sumter Counties; arrest of persons charged with burning Mr. Robertson's store, and their acquittal; no convictions in his county; gives names of men who he believes were in the party visiting him, 46; character of the disguises worn by the party; burning of David G. Robertson's store, 47; insecurity felt by republicans; outrage upon Mr. Bigger and Mr. Coleman, 48.

Negro, killing, by Ashley, of a, 173.

Negroes, effect of the Ku-Klux organizations upon the, 39, 197, 198, 277, 278; general character and behavior of the, 14, 15, 124, 238, 239, 265, 266; killing of, 212; whipping of, 27, 28, 33, 136, 210, 275; Champion's friendship to, 371; whipped because they were radicals, 422; to have forty acres and a mule, 445, 947; as reform candidates, 458; fire into a car at Lewisville Station, 459; sufferings of, 587; as witnesses, (R. M. Smith,) 750; threatened by Gabriel Cannon if they voted the republican ticket, 765, 781; free negroes, bill introduced by Mr. Wallace in the legislature prior to the war relative to, 786; would be quiet if left alone, (Cannon,) 796; timidity of, (Duncan,) 881; arming of, (Shand,) 969; acts of lawlessness by, (Steadman,) 1011, 1025; incarceration of, in Union jail, 1020; repressing of, in Chester, 1041; labor of, 1216; address to the colored people of the State, 1253; character of, (Ball,) 1336; public meetings of, in York, 1349, 1352.

Nesbit, Miles, whipped by Ku-Klux, 921.

Newberry, Willis Johnson visited by Ku-Klux in, 327; action of citizens of, 454; difficulty in, 1304.

Newbury, William, whipped by Ku-Klux, 1071.

Nichols, Ardrew, identified by Hamp Hicklin, 1565.

Nichols, George, threatened by Ku-Klux, 290.

Nichols, John, identified by Hamp Hicklin, 1565.

Nichols, Thomas, identified by Hamp Hicklin, 1565.

Nodine, John, makes threats, 659.

Noland, Dave, identified by Sylvanus Wright, 1155.

Noland, G. S., accompanies Gist on his expedition to Chester, 1057; implicated in the raid on Union jail, 1122, 1136.

North, feeling in regard to persons from the, 466.

Norton, Rufus, whipped by Ku-Klux, 1159.

Nuckles, Henry, (colored,) testimony of, 1178; republican, Union County; refugee in Columbia, visited by Ku-Klux, 1178.

Nuckles, Samuel, (colored,) testimony of, 1158; republican; refugee from Union County; farmer; threats; member of committee sent to Washington; whippings; member of the legislature; notice to resign, 1159.

Oakes, Mr., a broker of Charleston, connected with the purchase of Hell-hole Swamp by the land commission, 819.

Oath of Ku-Klux, 633.

Obloquy attached to the republican party, 456.

Officers, incompetency of, 457; resolution in tax-payers' convention regarding, 461; forced resignation of, (Shand,) 997; notices to resign served upon, (Steadman,) 1022.

Offices, negroes want white men to fill, 321, 457; resolution in tax-payers' convention urging the abolition of useless offices, 461.

Oglesby, Nelson, (colored,) testimony of, 687; republican, Spartanburgh County; whipped by Ku-Klux June, 1871; identifies Abner Waters, 689.

O'Keefe, Charles Dennis, testimony of, 36-41; is a resident of Fort Mills, York County, 36; lived there nineteen months previous to the 20th of March last; now lives in New York; left for dread of the Ku-Klux; had been sleeping in the woods for about twenty-five nights previous; was deputy collector, assistant marshal for taking the census, and president and secretary of the Union League; states the circumstances under which he was compelled to leave the State; is satisfied of the existence of the Ku-Klux organization in York County, 37; states abuse of himself

by a man named Cobb; man given seventy lashes with buggy-traces, 38; states number of men belonging to the League; states manner of voting of the white republicans; all the members of the League were black except himself and three others; says the colored people were generally under apprehension from the Ku-Klux, 39; gives particulars as to party under command of Captain White going from Charlotte, North Carolina, for the purpose of making a raid upon Chester, South Carolina, 39-41.

Olin, Wallace, killed, 352, 358; identical with Wallace Fowler, 790.

Ordnance, receipts for issues of, 1044.

Organization, politics not the basis of, 447.

Organized bodies, action of tax-payers' convention on, 454.

Orr, James L., testimony of, 1-22; is a resident of Anderson; was a delegate to the convention of 1865, governor of the State, and judge of the eighth judicial circuit of the State; thinks there is no fault to be found with the administration of the laws in his section, 1; his experience of mixed juries, 1-5; suspects there is a political organization extending to persons in Spartanburgh, Union, York, Newberry, Fairfield, Lancaster, Chesterfield, and Sumter Counties; refers to publication made in the Daily Republican, of the constitution of "the Council of Safety;" its printing in pamphlet form at the office of the Columbia Phoenix, 2; understands that it was distributed to the chairmen of the executive committees of the reform or democratic party; connects the violations of law in the counties named with an organization such as is provided for in this constitution, and gives his reasons therefor, the acts of violence being inflicted exclusively on men belonging to the republican party, 3; parties taken from the jail at Union Court-House and hung; gives the reason he heard assigned for the hanging, 4; complaints made of the action of the legislature; thinks it partly well founded; states composition of the legislature; thinks the whites almost universally refused to participate in the first election held under order of General Sickles in conformity to the act of March, 1867, 5; thinks the large number of negroes elected to the legislature attributable to that fact, 6; assigns causes for the disorders in the State, 6, 7; gives total vote of the State in 1868, 7; persons under disabilities; thinks there has been a great deal of corruption in the legislative department, bribery, &c., 8; taxation heavier than before the war; his opinion as to whether the State is essentially under a negro government, 9; thinks if there was a healthy public opinion among the substantial men, the law could be enforced without resorting to armed force; thinks the attempt at a half white and a half negro government a difficult experiment; details manner of conducting elections under the law of March, 1870, and his opinion of that law, 10; difficulty in enforcing the law by troops; corruption in the legislature not confined to the negroes, or exclusively to either party, 11; gives form of State government before the war; gives vote in the State when he ran for governor in 1865; but few democrats voted for the new constitution, 12; serious riot in Laurens County in October last; condition of York County; intimidation of voters, 13; thinks that if the white element of the South would support the republican instead of the democratic party it would obtain absolute control of affairs there; nearly all the republican orators in the South were originally from the Northern States; thinks the negroes are a very docile race, 14; behavior of the negroes during and since the war; gives reason why the negroes have not resisted and retaliated when outraged; in his portion of the State the native leaders constitute the leaders of the colored race, 15; educational system of the State, 16; shooting of Faulkner; officers notified to resign by disguised men; no prosecutions in the courts against them, 17; assigns reason why the whites did not vote at first election; number of white voters in the State in 1865, and the number of votes polled, 18; mistakes made in the effort to control the negro vote; partial exculpation of the governor and executive officers by the tax-payers' convention from the charges of fraud made against them, 19; indorsements by the legislature of railroad bonds, 8, 20; his opinion that the presence of a few United States soldiers has a tendency to promote the public peace, 20; appropriation by the legislature for the purchase of lands, 20, 21; opposed the so-called reform movement, and expects to vote with the republican party till the democratic party gets back to its moorings, or until the republican party gets further off from a set of principles he can afford to support, 21; thinks the object of the Ku-Klux movement is to prevent the colored people from voting; thinks there were no frauds in the State election, 22.

Official order as circuit judge requiring certain parties to show cause why they should not be indicted for malfeasance in office, 806; an efficient judge, (Butler,) 1194.

Ostell, Gabriel, whipping of, 184.

Outrage upon a woman, (tarred and feathered,) 44; outrage upon David Andrews, 44; outrage upon Ayer, by James Kerse, (negro,) 176; outrage upon Mr. Baker, 123, 133, 134; outrage upon Leander A. Bigger, 48, 275-282, 284, 286; outrage upon Howard Brown, (democrat,) 148, 149; outrage upon Mr. Coleman, 48; outrage upon ——— Gourdine, (democrat,) 149; outrage upon Mr. Hailstock, 143; outrage

- upon B. G. Hughes, (democrat,) 175, 176; outrage upon Mr. Leahey, 54; outrage upon O. P. McArthur, by negroes, 195, 200-202; outrage upon ——— McKinney, 618; outrage upon John J. Neason, 41-44; outrage upon Charles D. O'Keefe, 37; outrage upon M. Parker, clerk of L. A. Bigger, 275-282, 284, 286; outrage upon Mr. Rame, 279, 280; outrage upon clerk of Mr. Rame, 279, 280; outrage upon Mr. Young, 72, 73, 139, 143, 163, 164.
- Outrages, number of, in Spartanburgh County, 194, (for lists of victims see Spartanburgh, Union, York, Chester, &c. ;) outrages confined to particular portions of the State, 451; Gabriel Cannon's opinion on extent of, 785, 786; by persons in disguise, (Duncan,) 877.
- Owens, Alfred, killed by Ku-Klux, 683, 974; obnoxious to the community for reasons other than political, (Steadman,) 1017.
- Owens, Henry, killed at Alston, by Ku-Klux, 1160.
- Owens, Scott, a member of the Ku-Klux, 1398.
- Owens, W. K., testimony of, 1362; conservative, York County; carriage-maker; has been a Ku-Klux, and describes initiation into the Ku-Klux, 1362; oath; signs of recognition, pass-word, word of distress, organization of Klans, 1363; identifies as members of the Ku-Klux, Dan. Williams, John Tomlinson, John Hunter, Samuel Ross, Govan Hopper, Rufus McLain, 1364; Dr. Bratton identified, 1365, 1386; William Robinson identified, 1366; raid on the treasury described; Ernest Lowrie identified, 1367; Blackman Wilson, Bob Latta, Caldwell, Benfield, Dobson, 1368; Sam Smith, McCaffrey, Frank C. Harris, Jim Bennett, 1370; Roland Williams made to join Ku-Klux, 1371; case of Dave Barrett, 1372, 1390; Ku-Klux disguises and signals, 1373.
- Page, Christina, (colored,) testimony of, 1142; Union County; disguises made for a domino party, 1142.
- Page, Giles, whipped by Ku-Klux, 1071.
- Page, Peggy, whipped by Ku-Klux, 1071.
- Pardoning power as exercised by Governor Scott, 125, 154, 173, 177, 209, 220, 221, 236, 237, 262, 263, 270-272.
- Pardons granted by the Governor to convicts, mainly those whose terms were about to expire, 765.
- Parish, Cal., a member of the Ku-Klux, (Owens,) 1393.
- Parker, Mr., (clerk to L. A. Bigger,) outrage upon, 275-282, 284, 286.
- Parker, M. G., State treasurer, testimony of, in regard to the land commission, 812; purchases Hell Hole Swamp, 818.
- Parker, Hampton, (colored,) testimony of, 597; republican, Spartanburgh County; farmer; whipped by Ku-Klux May, 1871, 597; gun taken; sleeping out for two months, 598.
- Parrott, Matthew, identified by Hamp Hicklin, 1565.
- Partlow, J. B., rejoices at Elias Hill's whipping, 1415.
- Partlow, Sam., whipped by Ku-Klux, 1476.
- Patrick, ———, killing of Prince by, 173.
- Patterson, Edward, whipped by Ku-Klux, 1478.
- Patton, Doc, whipped by Ku-Klux, 1478.
- Paysinger, Thomas M., on General Sickles's black list, 337.
- Pearson, Willis, whipped by Ku-Klux, 921.
- Peddler, killing, by negroes, of a whisky.
- Peeler, Daniel, killed by Ku-Klux, 684.
- Peeler, Green, abused by Ku-Klux at a gathering, 614.
- Peeler, Jim, killed by Ku-Klux, 683, 1160.
- Perrin, Wade, member of legislature, killed, 336, 1307.
- Petty, Calvin, and wife, whipped by Ku-Klux, 897.
- Petty, Columbus, prosecuted, 385; identified by Daniel Lipscomb, 428, 430; identified by John Lipscomb, 667.
- Petty, Elizabeth, abused by Ku-Klux, 898.
- Petty, Frances, abused by Ku-Klux, 898.
- Petty, Green, abused by Ku-Klux, 898.
- Petty, Lucinda, abused by Ku-Klux, 898.
- Petty, Narcissa, whipped and ears cut by Ku-Klux, 919.
- Petty, Rev. M., whipped by Ku-Klux, 919.
- Phifer, advises negroes to apply the torch, (Steadman,) 1016.
- Phillips, Peter, whipped by Ku-Klux, 1478.
- Philips, Benjamin, wife, and family, whipped by Ku-Klux, 897.
- Philips, Charity, whipped, shot, and ears cropped by Ku-Klux, 897.
- Phillips, committed for Ku-Kluxing by P. Quinn Camp, 895.
- Phillips, Reuben, and wife, beaten by Ku-Klux, 897.
- Phosphate bill, character of, 730, 736; the vote on, 745 passage of, 828.
- Plowden, John, whipping of, 274.

Poinier, Samuel T., testimony of, 25-36; has resided in Spartanburgh County since February, 1866; was postmaster and deputy collector, 25; acted as registrar under the reconstruction acts; stumped the county for Seymour and Blair; result of the election in the county; was United States commissioner; was obliged to call in the aid of the military to suppress illicit distillery; edited a democratic paper; was in the Union Army; became identified with the republican party; made his paper republican; assisted in the re-election of Governor Scott, 26; whipping of two white men and three negroes by a party of disguised men; arrests five of the party; they prove an *alibi*; outrages of that nature occur weekly; colored men taken from their houses, whipped, and told they must make a public renunciation of their republican principles or they will be killed; public renunciation of his republican principles by John Genobles, 27; states whipping of negroes employed in the construction of the railroad between Atlanta and Charlotte, 27, 28; gives number of cases of violence in Spartanburgh County; did not give publicity to these cases through his paper, because the people had no protection; says but one case has been prosecuted, and in that the grand jury found no bill; that the jury was cheered in the court-room by a party of armed men, and that no action was taken by Judge Vernon in regard to this contempt; thinks that many of these offenses are by persons who are not members of the regular Ku-Klux organization; states what he knows of that organization, 28; gives number of persons driven from their farms; thinks these offenses are altogether a political matter; attempt to release a prisoner; thinks there is more trouble in York, Union, and Spartanburgh Counties than in any other county of the State; no notice has ever been taken of these wrongs by the State courts, 29; shooting of Dr. Winsmith; thinks there is no security at night for the persons and lives of those who express their political sentiments openly; says that affidavits have been made by parties stating that they have been obliged to make public renunciation of their republican principles by card in the newspapers; the only excuse he has heard was that they proposed to keep down the negroes and to get possession of the State government; thinks a southern man can not safely express opinions contrary to public sentiment; has been a great deal of trouble in Union County, 30; thinks the failure to make affidavit is caused by intimidation, 31; cases of thefts and ordinary assaults not connected with this disguised organization are punished; states why he thinks parties from his town participated in the raid upon the Union court-house; thinks a committee sitting at Spartanburgh could procure evidence from the victims, 32; witnesses whipped and driven from their homes; has received a note ordering him away, and heard intimations that his press would be thrown out of the window; advocates in his paper the general principles of republicanism, 33; thinks there is some foundation for the charge of corruption against the State government and county officers, 34; these charges of corruption are made principally by the democratic press, and include the whole State government; the governor has been charged with corruptions of all kinds; exculpation of the governor from these charges by a committee of the tax-payers' convention composed of democrats, 35; describes the manner in which the whippings were inflicted, 36; speaks to Elias Thomson, 416; a carpet-bagger, (R. M. Smith,) 743.

Pollard, William, whipped by Ku-Klux, 922.

Poole, Bill, shot by Ku-Klux, 921.

Pope, Buddy, quarrels with James Gaffrey, 619.

Pope, Craig, quarrels with James Gaffrey, 619.

Porter, J. B., testimony of, 1556; York County; carriage-maker and bar-tender; is captured in the raid on the treasury and whipped, 1557; identifies Henry Clawson, Marshall, Lawson Armstrong, Pickney Caldwell, and John Graham; clerk in a bar-room, 1558.

Porter, Joseph, whipped by Ku-Klux, 1481.

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TESTIMONY.

CONDITION OF AFFAIRS IN THE SOUTHERN STATES

SOUTH CAROLINA.

WASHINGTON, D. C., June 6, 1871.

Hon. JAMES L. ORR sworn and examined.

By the CHAIRMAN:

Question. In what part of the State of South Carolina do you now reside?

Answer. I reside at Anderson, in the northwestern portion of the State, one hundred and twenty-five miles northwest from Columbia.

Question. What public positions have you held in that State since the close of the war?

Answer. I was a delegate to the convention of 1865. In November, 1865, I was elected governor of the State, and occupied that position until the 4th of July, 1868. In August or September, 1868, I was elected judge of the eighth judicial circuit of the State of South Carolina, for the term of four years; that term has not yet expired, and I am still performing the duties of circuit judge.

Question. Have your public duties brought you into contact with people from various parts of the State; and from that contact and the knowledge so derived, can you inform us of the condition of the State, so far as it relates to the execution of the laws, and the security of life, person, and property? The general nature of the question will indicate to you what we desire, and you can make your statement in your own way.

Answer. I have, of course, been brought into close personal contact with the people of the counties constituting my judicial circuit. The law requires the circuit to be rode in each county three times during each year, and that has brought me in contact, very intimately, with the population of those counties. My other duties occasionally carried me to Columbia, and to some other portions of the State. So far as the administration of the law is concerned, in my section of the State, I do not think there is any fault to be found with it. We have gone through the experiment there of having mixed juries, and, so far as my experience has gone, I have had no occasion to find fault with it. In one instance where a colored man was on trial, and the jury was made up entirely of colored men, they convicted him in twenty-five minutes' absence from the jury box. In another instance, of the trial of a colored man, where the jury was composed of eleven colored men and one white man, I suppose the conviction took place in less than thirty minutes after the jury retired. The counties to which I refer more especially now, where I think the law is administered, are Greenville, Oconee, Pickens, Anderson, and Abbeville. In the fall of 1868 there were allegations of violence and intimidation of voters in the presidential and congressional elections. Abbeville was not at that time, however, a part of my judicial district; it has been added to my circuit since then. I think there has been comparative quiet there since then. I happened to be in that county holding court at the time of the election of 1870, and the election was conducted very quietly; I think there was not even a riot in the entire county. In that county the colored element largely preponderates, in about the proportion of two to one. In the other counties the proportion of white and colored population is, in Greenville, about two to one, in Anderson two to one, in Pickens four to one, and in Oconee about five to one.

By Mr. VAN TRUMP:

Question. The whites preponderating?

Answer. Yes, sir.

By the CHAIRMAN:

Question. Then, for all civil injuries and for all crimes in that district, you think there are adequate means of redress provided in the courts of the district?

Answer. Yes, sir; I have found no trouble. There have been two or three instances perhaps, in the county of Abbeville, where individual acts of violence have been com-

mitted and the parties have fled the country and succeeded in evading arrest. But in those cases bills of indictment have been found by the grand juries; so that should the parties be arrested and brought there, they would be put upon their trial for those offenses.

Question. Have any lawless acts, attributed to secret or armed organizations, been committed in your district?

Answer. I think not; I have no reason to suspect that there is any organization of the sort in either of those counties; I have no information which leads my mind to any such conclusion.

Question. From your intercourse with persons in different parts of the State, what knowledge have you obtained of acts which are attributed to any secret organization, or of the organization itself?

Answer. My knowledge is not personal, and, of course, the statements I may make in that connection will be based upon information which I have obtained from various sources—that sort of information which a man would collect in his intercourse with his fellows. I do not know the character of the organization that exists, but I have reason to suspect that in some of the counties of South Carolina there is an organization which is political in its character; I suppose that it extends to persons in Spartanburg, Union, York, Newberry, Fairfield, Lancaster, Chesterfield, and Sumter counties. The violence that occurred in Laurens county, in October last, which was a very serious riot, resulting in the death of some ten or twelve persons, I think was rather accidental than otherwise. It was the day after election, and it arose from a quarrel between individuals, the quarrel having had its origin a week or ten days preceding the commencement of the riot. The moment they commenced firing their pistols the riot became general.

By Mr. VAN TRUMP:

Question. At what election was that?

Answer. The State election of 1870. There had been some apprehension of trouble there, and troops had been sent there; but the election passed off quietly without disturbance. That morning early—

Question. What morning?

Answer. The morning after the election the troops left the town. There had been a railroad in operation there, but it was out of repair, and the troops had to march from Lawrenstown to Newberry, a distance of about thirty miles. They had got about twelve miles from the court-house, according to the information I have, when the riot occurred. Immediately afterward the troops were sent back, and since then I think there has been quiet in the county.

Question. Were they United States troops?

Answer. Yes, sir.

By the CHAIRMAN:

Question. What had been the occasion of sending them there?

Answer. The apprehension of trouble on the day of election; that was the occasion of their first being sent there.

Question. What can you say in reference to the other counties you have named?

Answer. I have no further information than that which I have indicated to you, obtained from newspapers and from intercourse with private individuals, who are very much in the same condition that I am, and who, to a certain extent, are speculative in their judgment in regard to the existence of the organization. My attention was first called, in February last, I think it was, to a publication made in the Daily Republican of Charleston, and subsequently copied into the Union of Columbia, which purported to be the constitution of "The Council of Safety." It provided for an organization almost by hundreds. I have not seen the publication very recently, and therefore I cannot give you the exact character of it. I have reason to believe that there was a reality in it, because after seeing this publication in the newspaper there accidentally fell into my hands one of their pamphlets. My reason for believing it genuine was the fact that it was stated in the newspaper that the pamphlet had been printed at the office of the Columbia Phoenix, which was the organ at Columbia last year of the reform party. It was charged in the Republican that the pamphlet was printed there, and the editor of the Phoenix was called upon to state if such a pamphlet had been printed there. Mr. Selby, the proprietor, I believe, (not the acting editor,) in response to that call, stated that a pamphlet bearing that title had been printed there, but that it was a business transaction altogether; that they had no knowledge of the pamphlet further than it was brought there to be printed, and they had printed it. That pamphlet, I think, was distributed in the State—in many portions of it. I think, if you desire further information upon that subject—and precise and definite information—from what I have learned, Mr. E. W. Seables, of Columbia, South Carolina, would be able to give you the particulars. It may be that it has no connection with these organizations which have been doing mischief in various counties since that time. But my suspicion

is that if there be an organization that is extending itself from one county to another, that pamphlet is the foundation of it. Mr. Seebles is a lawyer at Columbia—a gentleman of character and intelligence. He was the secretary of the central executive committee of the reform party, and of the democratic party now, I think. He is a man of character, and I have no doubt would state to you very frankly what information he has upon the subject, if you were to call upon him to do so.

Question. Having examined that "constitution of the Council of Safety," have you any reason to connect the violations of law which have been committed in any of those counties with an organization of that character?

Answer. I have reached that conclusion in my own mind, but why I have reached it I could not perhaps state satisfactorily. It would be for every gentleman himself, upon reading that constitution, to form his own conclusions as to what particular ends were to be subserved by such an organization. As I believe I have already stated, a pamphlet copy of it fell into my hands after I saw the publication in the Republican. But it has been lost or mislaid in some way or other, for I have not been able to lay my hand on it lately. The publication made in the Republican and copied into the Union was a correct copy of that pamphlet.

Question. Was this pamphlet of which you have spoken generally or publicly distributed, or was it a secret publication?

Answer. I understood that it was distributed to the chairmen of the executive committees of the reform or democratic party in the several counties. I inquired of one of those gentlemen and he said to me that no copy of any such paper had been sent to him. It was said that ten copies had been sent out to each chairman of a county executive committee.

Question. I have here what purports to be a copy of such a constitution, taken from the Daily Union, of Columbia, South Carolina. Please look at it, and then state whether, from your recollection of it, that is the one to which you refer.

(See paper attached to the testimony of this witness.)

Answer. [After examining the paper referred to by the chairman] I should say, from the brief examination I can now give it, that it is the same.

Question. You say you have arrived at the conclusion that it is under some such organization as this "constitution" provides for that the violations of law have occurred in the counties to which you have referred. Give us the reasons, if you can, that have brought you to that conclusion.

Answer. In some of the counties, for instance in Spartanburg, Union, York, Lancaster, Fairfield, and Newberry Counties, considerable numbers of persons, variously estimated from thirty to five hundred, seek the night-time to commit acts of violence. Those acts, so far as my information goes, have been inflicted entirely and exclusively upon white and colored men belonging to the republican party. They are done in the night-time, and by men disguised. The latest case of that sort, of which I have heard, was at Newberry, where a disguised party attacked a colored man who was the chairman of the board of county commissioners for that county. He was elected last fall, I believe, and his name was Young. They went to his house in the night-time, according to the statement, and fired upon him, and wounded his wife pretty severely and also his child. He returned the fire, and after having exhausted his ammunition succeeded in making his escape from the house. As he ran off, one or two slight wounds were inflicted upon him, but he made good his escape. One of the disguised men was struck by a bullet in the leg, and the leg had to be amputated. He was taken some four miles out of town; the sheriff of the county got information of his whereabouts and went there and arrested him. Since I left home I have seen in the newspapers that the wounded man has been murdered in his house.

Question. How recent was that occurrence?

Answer. About three weeks ago the attack was made upon Young.

Question. Was Young a white man or a colored man?

Answer. He was a colored man, and the chairman of the board of county commissioners. I think that all of the county commissioners in that county are colored men. There are three commissioners for each county, who have the right to levy taxes. Another thing in connection with these bands: It seems that in almost every single instance where they have given notice to persons in advance in these various counties, the persons notified have been those holding office in their respective counties, such as auditors, treasurers, county commissioners, school commissioners, &c. In many instances I have no doubt such officials are incompetent. In some instances I think they are certainly sufficiently competent not to be disturbed, as none of them should be, in the performance of their duties. If they are incompetent there is a legal method of getting rid of them.

By Mr. VAN TRUMP:

Question. Are they colored men?

Answer. The most of them, though some whites have been waited upon, particularly

in Fairfield, Union, and York Counties. I think none in Newberry County have been waited upon.

By the CHAIRMAN:

Question. Within what period of time have these offenses been committed in those Counties?

Answer. There has been more or less of violence for some time. The first occasion, when there was a body of disguised men, was in December, I think.

Question. December last?

Answer. Yes, sir; the first case that I heard of—there may have been others before that, but that was the first that attracted my attention—was when they went to a jail at Union Court-House. They first took out two men, and subsequently, so it was said a few nights afterward, four or five hundred men went there and took out other persons—nine in all—and hung them. The reason given for that, as I have heard, was this: It seems that a company of negro militia had gone out somewhere from Union Court-House on a Sunday, or had met together. A man passed by with a whisky wagon, where they were; he was engaged in trafficking illicitly in whisky; he let some of them have some whisky, and after they had partaken of it, I suppose they wanted some more. As they did not have the money to pay for it, he refused to let them have it, when they demanded it of him, and they then took him off into the woods and killed him.

By Mr. VAN TRUMP:

Question. Was he a white man?

Answer. Yes, sir. Two parties, supposed to be more immediately implicated in the murder, were arrested a few days afterward; those two parties were taken out of the jail, and subsequently seven more were taken out. The reason I heard assigned for that was this: The judge of that circuit received some intimation that those prisoners would not be safe in jail in that county, and he issued his writ of *habeas corpus*, directing the sheriff of that county to carry the prisoners before him at Columbia, a distance of sixty or seventy miles from Union. They were not within his judicial circuit, but I have no doubt he had a right to do so, for the law expressly gives a circuit judge the right to hear a writ of *habeas corpus* in any part of the State. When the order reached Union, the sheriff spoke of it, I suppose, and it was at once noised about in the little town and in the community, that the object of that movement was to get those seven prisoners down to Columbia for the purpose of discharging them upon straw bail, or letting them loose altogether, with a view to evading punishment. I have no idea that there was any such intention. I was in Columbia at the time, before the prisoners were taken out and executed, and I had a conversation with Judge Thomas, after he had sent out his writ of *habeas corpus*. His writ reached Union on Thursday, and the sheriff was to have brought the prisoners down to Columbia on Friday, but he did not do so, and they were taken out of the jail on Sunday night. Two of the parties who were charged with the murder of the white man, (Stevens and Stevenson,) from some cause or other, had not then been arrested. From the best information I could obtain—from a lawyer in that place—I suppose those two were really the guilty parties—the men who actually committed the murder upon the white man. They were afterward arrested, tried, and convicted before Judge Thomas in March last, and were executed in April or in May.

Question. Those two who were executed according to law had not been arrested at the time the two and the seven were taken out of the jail.

Answer. No, sir; they had not been arrested at that time, for some reason or other; they had kept out of the way, and had not been arrested. If they had been, they would doubtless have shared the fate of the others. If the statements made as to the excuse for that conduct are correct, then it is shown that they were mistaken in their apprehensions, for there was no difficulty in trying and punishing the negroes when found guilty.

Question. That was shown afterward?

Answer. Yes, sir; subsequent events disclosed that such apprehensions were not well founded.

By the CHAIRMAN:

Question. With the exception of the counties named by you, do you give it to the committee as your belief that in other parts of the State of South Carolina the law can be effectually executed, and that life and property are secure there?

Answer. I am hardly prepared to answer that question with definiteness. I think that the counties I have indicated are the counties in which the demonstrations have been most formidable. In two or three other counties there have been some acts of violence, but I have no reason to suppose they extended beyond little neighborhood affairs—some private grudges. Lives have been taken, no doubt, and the guilty parties have not been discovered.

Question. In those counties which you have named, where these acts of violence

have been committed by bands of disguised and armed men, has the law, in any instance that you are aware of, been executed as against them?

Answer. No, sir; the trouble is to find out who they are. If persons know, they are afraid to disclose their knowledge.

Question. In other parts of the State, can justice be administered in all ordinary cases, civil or criminal, arising between man and man?

Answer. Yes, sir, I think so—all violations of the right of persons and property. Take, for instance, the county of Abbeville, where the negro element is largely in the majority; at the last term of the court only, I think I sentenced eleven colored men to the penitentiary for various offenses. In some of those cases there was a majority of colored men on the juries.

Question. Do you find any difficulty in administering justice in your circuit, through the medium of mixed juries, whether the parties on trial be white or black?

Answer. My experience is that there is more indulgence shown by white juries to a colored man upon trial than is shown to a white man. I think that juries, as a general rule, would make more allowance or apology where a negro has committed an offense than they would in the case of a white man committing the same offense, on the ground that he ought to have more intelligence than to do such a thing. In that point of view, so far as my observation has gone, I think if there is any leaning, it has been by the white man toward administering the law gently to the colored man.

Question. Is there anything either in the administering of your State government, or in the management of your county affairs, which is alleged either as a cause for the acts of violence of which you have spoken, or as an excuse for them? Give us your views upon that subject, if you please.

Answer. There has been great complaint made through the newspaper press, and by individuals, of the action of the legislature in various respects; and perhaps still more complaint has been made against the county officers. A part of it, I think, is well founded, while a part of it, I think, is not well founded. Our legislature is composed, in the house, of about eighty colored members and forty white members; and, in the senate, I think there are twenty-one white men and eleven colored men. A very large proportion of the colored element in the house of representatives is of necessity ignorant.

By Mr. VAN TRUMP:

Question. Is the proportion of colored men, for the last year or two, increasing or diminishing in your State senate?

Answer. There has been but one election of senators since the senate was first classified. Of those first elected, one-half were for two years, and one-half for four years. Consequently at the last election there were senators elected in only one-half of the counties. I do not think there has been any change in the status in that respect; if there has been I do not recollect it.

By the CHAIRMAN:

Question. You were, I believe, going on to give the status of the legislature, as affecting the legislation of the State, in connection with the excuses given for these outrages.

Answer. There was a great deal of complaint made, and it was finally taken hold of by the Chamber of Commerce and the Board of Trade, of Charleston. The debt had been very largely increased, and it produced so much excitement, that finally a taxpayers' convention was called, and it met at Columbia about the 10th of May, I think. Full reports of its proceedings were made. I suppose you can get a fair statement of the present debt of the State, and of the increase of the State debt, and the reason for that increase, from a report that was submitted to that convention by Mr. Trenholm, of Charleston. That report will furnish you that information with minuteness, much more so than I can give it to you, for I can only give you a statement in round numbers. Mr. Trenholm is one of the leading members of the Chamber of Commerce, and also of the Board of Trade, and a very successful merchant. He was the former secretary of the treasury, under the confederate government at Richmond.

Question. You have spoken of the composition of your legislature. Will you state whether, at the first election under the reconstruction act, the white population refused, to any extent, to participate in the election.

Answer. Yes, sir; almost universally, I think, in the first election that was held there under the order of General Sickles, in conformity to the act of March, 1867. I think the election was held in October, 1867, and my general recollection is that at that election the white vote of the whole State was about 3,000, while the colored vote, as well as I can remember, was about 90,000. In my county where I reside, we have a thousand registered majority of white votes, and there were but 260 or 270—I think the exact number was 269—of whites who went to the polls and voted in that county.

By Mr. VAN TRUMP:

Question. Do you mean that you had a thousand white majority or a thousand white votes?

Answer. A thousand white majority registered; and 269 of the two thousand and more white voters in the county went to the polls.

By the CHAIRMAN:

Question. Was the large number of negroes elected to the legislature attributable to that fact?

Answer. If the line had been drawn according to the respective numbers of colored and white voters, there ought to have been certainly ten and perhaps eleven counties that would have elected white representatives. In the remaining twenty-one or twenty-two counties the colored vote would have been in the majority, and colored representatives would have been elected had each voted for its own race.

By Mr. VAN TRUMP:

Question. That would have given the majority to the colored race?

Answer. Yes, sir; the counties of Anderson, Oconee, Pickens, Greenville, Spartanburg, Lancaster, Marion, Chesterfield, Harry, and Lexington have white majorities. York County is doubtful; I think the population there is pretty equally divided. According to the apportionment, those counties ought to send about twenty-five members of the house of representatives.

Question. Against what number of negroes?

Answer. The house of representatives is composed of one hundred and twenty-four members.

By the CHAIRMAN:

Question. As a matter of fact, were there all white men who were sent from the counties you have named, or were colored men sent from some of the counties and white men from some of the counties?

Answer. That was the case. In the election for the convention one colored man was sent from my county, where the whites have a thousand majority. In many of the counties whites were elected by the votes of colored men. In fact, I believe all the white men who were sent, with the exception of about two or three, were sent by colored constituencies where the colored voters had a majority; that is, to the legislature.

Question. Had the white men of the State consented to participate in the election, would not a larger proportion of white men have been returned?

Answer. I think so, decidedly, both to the convention and to the legislature.

By Mr. VAN TRUMP:

Question. Were any of the white men sent by the negroes democrats?

Answer. No, sir; I do not think any democrat would have consented to have been a candidate of a colored constituency for the convention. The experiment was made in the county adjoining mine. The party lines have been drawn closer and closer at every election. Three elections have now taken place, and the political elements on either side are solidifying more and more effectually.

By the CHAIRMAN:

Question. As it is our desire to ascertain not only the existence of any of those disorders, if they exist, but also the causes of them, so that legislation may be had if necessary, will you state what, in your opinion and belief, are the causes for those disorders, and such remedies as in your judgment would tend to suppress them?

Answer. Well, sir, that is a very hard question to answer.

Question. I know it is.

Answer. Intending to be entirely respectful, I suppose about as many reasons might be assigned for these disorders as for the fall of Rome. Of course the white element in the State is very much dissatisfied and mortified at the elevation of the colored man not only to terms of political equality, but of superiority in many respects. It was supposed by the whites, when the presidential election of 1868 came on, that they could have some influence with the colored vote. Great pains was taken. The whole State was stumped by leading gentlemen who were supporting the nominees of the democratic party. And of course the other party were represented by their orators, yet I do not suppose there were five hundred colored men in the whole State who voted for Seymour and Blair. That was very much the case last year, when the reform party was organized. A republican for the position of governor was placed in nomination by the reform party, and they nominated a democrat for lieutenant governor. They made a very active canvass in the State, and yet I do not suppose they received five hundred colored votes. The tendency has been to solidify the colored element. I think that a great many of those who would otherwise be expected to control the

State in its affairs have desponded of their ever being able to relieve themselves from the incubus, as they regard it, upon them, of so great a majority of colored voters in the State. The colored majority in the whole State is about 30,000. While there may be differences of opinion, I have a very decided opinion as to the mistakes the white element made in trying to control the colored population. A mistake has been made, and I myself think it will be some time before they will be able to control the colored element. There has been a great deal of incompetency. Many of the county officers who have been elected have not been sufficiently qualified to give entire satisfaction to the public. The county commissioners have the power to levy a very considerable tax in their respective counties. In many of the counties the impression prevails that these county commissioners have spent too much money. I do not know how true that may be. I have had occasion to look into one or two cases of the sort. In one case I found the charge to be true; in the other case it was not true. I suppose that a great deal of that complaint is of the same character that one political party makes against the other, although there is probably more cause for it here, in consequence of the ignorance of many of these officials, than would ordinarily exist.

By Mr. VAN TRUMP:

Question. Yet I understand you to say that there is a party organized of both republicans and democrats called the reform party?

Answer. Yet it turned out that no republicans voted for that ticket.

Question. The negroes would not vote for them?

Answer. No, sir.

By Mr. BLAIR:

Question. You have given us your estimate of the number of negroes who voted for the reform-party ticket. How many white men in your State voted for the republican nominees for President and Vice-President in 1868?

Answer. I do not know, and if I were to give you an opinion it would be a very vague one. I saw a statement made in a republican paper after the election was over, and I think the estimate was about 5,000.

Question. What was the total white vote?

Answer. In the presidential election?

Question. Yes, in your State.

Answer. I think the total vote of the State was about 135,000, and I suppose the total white vote was from 50,000 to 55,000. I think the heaviest vote we ever had before the war, where there was a general turn-out, was about 48,000; but I think in the last presidential election the white vote was more than that.

By Mr. POOL:

Question. Do you mean might have been polled or were polled?

Answer. That were polled.

By the CHAIRMAN:

Question. Do you wish us to understand you to convey the idea that the inability to control the colored vote has been one of the causes for these acts of violence?

Answer. I cannot say that exactly; I think an incorrect public sentiment has been created by men of that description standing by and not raising their hands, and not using their influence, their moral power, to suppress these acts of violence. My supposition is—I have not proved it, of course—my supposition is that these parties engaged in midnight-marauding are pretty generally reckless young men, without a great deal of standing in the community, and if they happen to be detected, they can get on their horses and leave the country, and get out of the way. I think the better portion of the community are responsible for these acts no further than that they do not use their influence, both morally and in actually enforcing the law. I think that is where the fault lies with them.

By Mr. BLAIR:

Question. Does not that indisposition to some extent grow out of the fact that disabilities are imposed by the Government upon that class of people?

Answer. I think that has its influence; I think that has, perhaps, produced a great deal of sourness and bitterness, resulting from the disabilities of parties not having been removed.

By the CHAIRMAN:

Question. How large a portion of the people of your State are now laboring under disabilities?

Answer. I do not think I can make even a conjecture.

By Mr. BLAIR:

Question. All the persons who ever held offices before the war and participated in any way in the rebellion, are under disabilities?

Answer. Yes, sir.

By Mr. VAN TRUMP:

Question. Unless they have been specially removed?

Answer. Yes, sir; I think the disabilities have been construed to extend to magistrates, postmasters, clerks of courts, &c.

Mr. BLAIR. It was so construed, in the instructions given by the generals in command in those districts; it was construed in that way when the measure of reconstruction was first passed. President Johnson undertook to give a different construction to it, and had an opinion from his Attorney General limiting it to those who had held State offices, as contradistinguished from county offices. Congress was called together during the recess, or met in an adjourned session, and gave to it the construction originally claimed for it by Sheridan and Sickles.

Mr. VAN TRUMP. As against the opinion of Mr. Stanbery.

Mr. POOL. Those are not the disabilities now existing, which are under the Constitution.

Mr. BLAIR. The constitutional amendment preserved the phraseology of the bill, except that it did not disable them from voting, as the act did. The act of Congress prevented them from voting, while the constitutional amendment only disqualified them from holding office; but, to that extent, it is in the language of the act of Congress.

The WITNESS. There is no disability now existing under the constitution of South Carolina, except that imposed by the amendment to the Constitution of the United States.

Mr. BLAIR. That I understand.

Question. I would like to ask you, in reference to the administration of affairs in your State, both in the State and in the counties, whether there is not such a degree of maladministration as to justify the complaints made of the incompetency and corruption of officers?

Answer. Perhaps I ought to make some distinction, with reference to the executive department; there have been all sorts of allegations made, publicly and privately, against all the officers, I believe, connected with the executive department of the State government, except, perhaps, the attorney general. But this tax-payers' convention which recently assembled, and which I suppose ferreted the matter out—and let me say here that that convention was composed of the political opponents of the governor and his associates, there being not more than five republicans out of about fifty-five members—I suppose that the report which Mr. Trenholm submitted to and which was received and adopted by the convention, is a vindication of the governor, and of those who surround him, at least so far as present appearances are concerned. If the report made by Mr. Trenholm is correct, and he has not been deceived, then there has not been that maladministration in the executive department that has been charged. I have no doubt that in the legislative department there has been a great deal of corruption; and I think the corruption has been mainly by bribing the members to vote for jobs. I do not know what proportion of the bills that have been passed are to be footed by the State; I have not looked into that matter. So far as I have been able to learn, I think the principal matters in regard to which there has been corruption have been private jobs; perhaps railroad indorsements, not subscriptions. It is charged, and charged openly and publicly, that a great many members of the legislature received bribes for their votes; and I am afraid there is a great deal of truth in the charge.

Question. What is the character of the railroad indorsements? I suppose you mean indorsing the bonds of railroads, giving the credit of the State to the roads?

Answer. Yes, sir.

Question. Of what character are these indorsements, and has the State any claim upon the roads themselves for security?

Answer. When the present party came into power, they found that the State had made indorsements for interest bonds of the Greenville and Columbia and of the Blue Ridge railroads; and it was doubtful whether those indorsements were of any validity, inasmuch as they were made during the war. It was doubtful whether the acts of the State legislature from 1861 to 1865, or even to 1867, according to the theory of some, would be of any avail. Those previous acts were validated by the legislature of 1868 and 1869. In the last session of the legislature some change was made, by which the indorsements upon the Blue Ridge bonds, and the Greenville and Columbia bonds, were extended, and the first lien of the State upon the road as an indemnity for the indorsement was withdrawn. But the bonds themselves are first-mortgage bonds, and the road has to be exhausted before the State would become liable upon its guarantee or its indorsement; that is, as I understand it. I do not desire to go too far into these legislative matters, for I have not been connected with them. I have spent very little

time about Columbia lately, and have not had occasion to inform myself as I ought before I undertake to give information to you upon the subject.

Question. You say there has been a great deal of complaint in regard to the administration of county affairs?

Answer. Yes, sir; a great deal.

Question. Have the counties accumulated any large amounts of debt?

Answer. Some of them have; not large amounts; but some of them have not paid their expenditures, notwithstanding the large amount of taxes which they are authorized to levy. Under the new system of laws which have been introduced there, the expenses of witnesses, jurors, sheriffs, clerks, jails, &c., are to be paid by the counties; formerly they were paid out of the State treasury. And so, also, in regard to roads and bridges; a certain amount of the levy of the counties is appropriated to keep up the roads and bridges. Some of the counties have not paid all their liabilities. Then, on the other hand, the complaint is made that too much money has been expended and improperly expended. The taxation now in South Carolina is much heavier than before the war; there is no question about that.

Question. And the amount of the property upon which the tax is levied is much less?

Answer. Yes, sir. Prior to the war the larger proportion of the taxes of the State was paid upon slave property, and there were about 400,000 slaves. In my county, for State and county purposes, the tax is one cent and three mills on the dollar.

By Mr. STEVENSON:

Question. That includes taxes for township and all local purposes?

Answer. Yes, sir; for all purposes, State and local.

By Mr. VAN TRUMP:

Question. After the facts and data which you have given, it is hardly necessary for me to ask the question; still, I want your opinion. I will ask you whether, at this time, the State of South Carolina is not absolutely and essentially under a negro government?

Answer. A majority of those who have control of it are negroes; that is, there is a majority of negroes in the house of representatives, while in the senate the majority are white men. The governor is a white man; the lieutenant governor is a colored man; the secretary of state is a colored man; the treasurer, the comptroller general, the attorney general, and the adjutant general are white men. Of the supreme court judges one is a colored man; all the eight circuit judges are white men.

Question. How in the counties; are the county officers, commissioners, clerks, &c., especially in the negro counties, colored men?

Answer. The auditors and treasurers are not elected by the people, but are appointed by the governor; the trial justices are appointed by the governor; the county commissioners are elected by the people. I would say that in the counties where the negro race is in the majority, a majority of the county commissioners are colored.

Question. That is the important office of the county, so far as taxes are concerned?

Answer. Yes, sir; so far as taxation and the general police of the county are concerned.

Question. How is it with regard to these negro officers in South Carolina; are they selected from the better educated negroes, negroes from the North, or have they generally been taken from those who were slaves before the war?

Answer. The negroes who have had most influence and control of the organization of the republican party, from 1865 to the present time, are men from the North.

Question. Those are the orators and politicians; I speak now of the office-holders.

Answer. They are of the 400,000 blacks in the State, and their standard of intelligence is a little higher than that of one-half or two-thirds of the 400,000. As a general rule, in their selections, they have taken about the best they could get among their own people, restricting their choice among themselves. In the legislature, a very large proportion of the eighty colored members of the house of representatives were formerly slaves, I suppose, and at the time of manumission I presume two-thirds if not three-fourths of them could not read. Now most of them are able to read; most of them have learned to write their names, and some of them have made more progress than that; very considerable progress, the younger portion of them. But of course there are a great many who are still ignorant.

Question. In regard to those eighty colored members of the house of representatives, if I understood correctly your answers to some of General Blair's questions, you have some fears that there is some truth in the charges of bribery?

Answer. I think they are true as to some of them.

Question. Is it not the fact in regard to negroes of that character, (uneducated and who have been slaves,) that wily white men, approaching them with money, can seduce them into violating their official obligations?

Answer. I think that is according to our experience and knowledge of men of all

classes; it would apply as well to whites as to blacks. I have no doubt they are more susceptible to such influences than if they had a high moral training and good intellectual culture.

Question. You say that the law, so far as your region of the State is concerned—I suppose you speak of your judicial circuit—is fully administered?

Answer. Yes, sir.

Question. In regard to the violations of law, of which you have spoken, could not the State power control them without asking for or resorting to the Federal power to come there and subdue them?

Answer. That is one of the difficult questions I had in my mind when I replied to a question of the chairman, as to how those disturbances could be best suppressed. If there was, in those localities, a healthy public opinion among the substantial men of the country, if they were determined to put down these disorders, I think the law there is abundantly sufficient to put them down.

Question. The law, without resort to armed force?

Answer. Yes, sir. You could not very well resort to State militia, because there is no system that I know of by which you mingle the two races together in a military organization without running a greater hazard than even to allow marauding to go on. If you were to attempt to unite the two races in a military company, you could not get it done, by volunteering, and you would fail if you attempted to do it by compulsion.

Question. Then you think that the attempt at a half-white and a half-negro government is a failure?

Answer. I think it has been a very difficult experiment.

By Mr. BLAIR:

Question. You say that all persons in the State, of adult age and of sufficient residence, are now entitled to the right of suffrage?

Answer. Yes, sir.

Question. Will you give us a general idea how their suffrages are collected; what is the machinery by which it is done?

Answer. Do you mean the machinery for collecting the votes on the day of the elections?

Question. Yes, sir.

Answer. Well, sir, the existing law provides that the governor shall appoint three commissioners of election for each county. Those county commissioners are charged with the duty of selecting managers of elections for the different polling precincts in the county. There is no registration now required; that has been done away with since the election of 1868, which, I suppose, is a very great mistake. The present election law provides that the polls shall be opened at 6 o'clock in the morning and closed at 6 o'clock in the evening, and that there shall be but one day set apart for each election. The county commissioners designate as many polling places in each county, city, and town as the convenience of the voters may require.

Question. And the county commissioners appoint the managers of election?

Answer. Yes, sir. Under the present law those managers are permitted to retain the ballot-boxes, which are required to be sealed up at the close of the election, for five days; or rather, they are required within five days to turn them over to the commissioners of elections, and the commissioners of elections have five days within which to count the votes.

By the CHAIRMAN:

Question. Are you now giving us the provisions of the election law of March, 1870?

Answer. Yes, sir; that is the law now in force.

By Mr. BLAIR:

Question. I desire to ascertain your opinion of that law; I want to ascertain, if possible, what this time is allowed for. What was the object of allowing the managers and commissioners of elections to retain the ballot-boxes in their hands for such a length of time?

Answer. That I cannot tell; I do not know. I think it was very improper for any such election law to have been passed. If I had been framing an election law, I would have required that the votes should be counted on the evening of election and the returns made the next day. The present law certainly gives to persons who are so disposed an opportunity to commit fraud. And in one of the counties, in regard to the congressional election, two of the commissioners have been convicted, before Judge Bond's court, within the last six weeks, of stuffing the ballot-box.

By Mr. VAN TRUMP:

Question. Were they white or black men?

Answer. One was a white man and one was a black man. It was in regard to the election between Mr. Bowen and Mr. De Large.

By Mr. COBURN :

Question. You have said in substance that the State authorities can do nothing to suppress these outrages, for the reason that public opinion is in an unhealthy condition, and that the State militia, composed of whites and blacks, would not be of any service. Now, under the circumstances, what authority should be used to restore order?

Answer. That is a hard question to answer. I examined carefully the provisions of the bill passed by Congress at its late session, in the hope that I might there find something that would give the proper authority. But I apprehend that the same difficulty will exist in connection with the military forces of the United States. As an illustration, let me say that there has not been a more quiet community than that of Laurens County since the United States troops went back there. And yet if the troops were to leave there to-day, there is no telling but what by the day after to-morrow this thing would be just as rampant as ever. If you undertake to enforce the law by troops, according to our experience, and we have had a pretty large experience since 1865, and especially if you undertook to do so by troops who are not familiar with the country, and where there is not among the people much sympathy with the troops, you would find this difficulty: Those who commit these offenses are familiar with the country, with every by-way, every hedge, every swamp, stream, and road, and they will have it in their power to make their escape in spite of officers and men, let them be ever so vigilant. They will select portions of the county remote from the troops to commit their offenses, and then they will get such a start in their flight as to prevent the officers and soldiers from capturing them. That is the difficulty, I apprehend, in the United States authorities enforcing the law.

Question. That is merely a military difficulty. But suppose the United States courts were brought into operation, would they not prove more effectual?

Answer. In that point of view perhaps the United States courts could be made available, when you could make proof in regard to particular persons. After you have caught the offenders, I have no doubt that in the United States court held at Charleston, Columbia, or Greenville, the law could be properly enforced.

By the CHAIRMAN :

Question. Assuming that these organizations exist, and that the persons who ride in armed bands are members of them for the purpose of inflicting these injuries upon citizens, is not the plain way of looking at the matter to treat them as a public enemy in armed resistance to the State and General Government?

Answer. I would be prepared to go to that extent. But then you have the very same difficulty; you have to find out who these parties are before you can inflict any punishment upon them.

By Mr. STEVENSON :

Question. Unless you find them in arms?

Answer. How would you find them in arms? They would take very especial pains that the gaps should all be let down, so that they could make their escape. And if the matter looked threatening on account of the presence of marshals and troops, the probability is that they would keep very quiet.

By the CHAIRMAN :

Question. It amounts, then, to predatory or guerrilla warfare?

Answer. It will have to cure itself. I am very nervous, occasionally, about its leading to retaliation and violence.

By Mr. STEVENSON :

Question. You have spoken of corruption in the legislature. Do you mean to say that it was confined to colored men?

Answer. I do not think it was, from what I heard. I have no positive information upon the subject; I have been very little in Columbia, but I have heard a great deal. I think in all probability a portion of the whites are just as culpable as the colored men; whites in the legislature and also whites outside of the legislature.

Question. Lobbyists?

Answer. Lobbyists are more responsible, perhaps, than anybody else, as is generally the case.

Question. Is it your opinion that this corruption, of which you have heard, is confined exclusively to either party?

Answer. No, sir; I am sorry to say that it is not.

Question. A majority of the people of South Carolina are colored men, are they not?

Answer. Yes, sir; about 120,000 majority colored population.

Question. Yet I infer from what you say that a majority of office-holders, taking the importance of the office also into consideration, are white.

Answer. Yes, sir. The governor appointed a great many trial justices from the col-

ored race; but he has changed his policy within the last four or five months in that respect; he has removed quite a number of them and has appointed white men in their stead. Where he could get republicans of course he has appointed them; but in some counties in my circuit, where he could not get republicans supposed to be competent, he has appointed democrats.

Question. Before the war I believe the government of South Carolina was less democratic in its form, or rather more aristocratic, than the governments of the other States; the power was in fewer hands, was it not?

Answer. It was so in this way: universal suffrage existed in South Carolina, and was adopted there perhaps as early as in any State of the Union. An amendment to the constitution in 1808 established universal suffrage in the State. But the government was kept in the hands of a few by requiring a certain property qualification of persons to be eligible as governor, State senator, or member of the legislature. I think those were the only offices where a property qualification was required. In order to be eligible to the senate a man was required to be thirty years of age, and to be worth £500 or about \$2,500, clear of debt; or he had to have a freehold of not less than five hundred acres of land, and to be the owner of ten slaves. And about the same qualifications were required for the lower house of the legislature. The governor was also required to have a property qualification. I do not remember that any other officers were required to have a property qualification.

Question. The legislature, I believe, elected the presidential electors for the State?

Answer. Yes, sir; and also nearly all of the officers of the State. They elected the presidential electors, judges, chancellors, commissioners in equity—who correspond to vice-chancellors in other States; they also appointed magistrates, and elected the secretary of State, comptroller general, adjutant general; they appointed the managers of elections, commissioners of roads, commissioners of free schools, commissioners of public buildings, and commissioners to approve public securities. The people elected clerks, sheriffs, judges of probate, and tax-collectors.

Question. The management of affairs was then more in the hands of property-holders in that State than generally in other States?

Answer. Yes, sir.

Question. Is it not true that upon the commencement of reconstruction the old white population to a great degree refrained from taking part in the elections?

Answer. Yes, sir; I stated that in the early part of my examination. According to my recollection, I may be mistaken in some of the figures, but my recollection is that in the vote for a convention there were but three thousand white votes cast in the entire State.

Question. When you ran for governor the vote was very small, was it not?

Answer. Yes, sir; not more than about 18,000 votes were polled.

Question. I see by the table given in Mr. Greeley's almanac that you were elected, having received only 9,776 votes.

Answer. It was by a majority of only six or seven hundred votes.

Question. I do not find here the vote for the convention; but I perceive that upon the adoption of the constitution there was a large majority in favor of it, 70,000 and over against 27,000 and something.

Answer. Is it as much as 27,000?

Question. Yes, sir.

Answer. That must have been at the same time members of the legislature were elected. That was about the strength of the white vote—I presume, about 27,000.

Question. Was that a party contest?

Answer. Yes, sir; the whites generally voted in that contest.

Question. Was the white vote fully polled?

Answer. No, sir.

Question. The vote in each county for the constitution indicated, however, did it not, about the republican strength in that county?

Answer. Hardly; it was not the full republican strength.

Question. There was not a full vote given on either side?

Answer. No, sir.

Question. Did any democrat vote for the constitution?

Answer. Very few.

Question. It was a great change from their old system?

Answer. Yes, sir. There were a great many who would have voted for it if they had considered it necessary, but they did not consider it necessary; I mean those who reside in my portion of the State, and who look with favor upon certain provisions which they thought were humane and beneficial, such as that for homesteads, &c.

Question. You have spoken of some counties as being now in a troubled condition; did you include in those Abbeville and Anderson?

Answer. No, sir; I excepted them.

Question. Do you know whether there was any trouble in those counties in 1868?

Answer. Yes, sir; but I have only a general knowledge of that. In Abbeville the re-

turns showed that Mr. Read, who was a candidate for Congress in the congressional district, received from 1,000 to 1,200 majority. Judge Hoge, who was afterward seated, was his opponent. At the last election, the one during which I have stated I was in that county at the time of the election, and when there was certainly a fair vote, the majority for Elliott, the republican, over Mr. Perry, was about 1,270. It was alleged that that was effected by driving these colored people from the polls at some half a dozen places, Greenwood, Ninety-six, Whitehall, Bradleys, and Lowndesville.

Question. That is, the result in 1868 was effected in that way?

Answer. That is the allegation, and I think there was proof here upon that subject.

Question. I notice by these tables that that county gave in the spring of 1868 a majority of 1,721 for the constitution.

Answer. Yes, sir.

Question. So that in the spring of 1868 that county went largely republican; in the fall of 1868 it went largely democratic; and in 1870 it again went largely republican.

Answer. Yes, sir. That was the case in Newberry; Newberry went for Mr. Read by a very large majority. The republican majority in Newberry, assuming the general numbers of whites and colored, may be fairly estimated to be about 1,400. I would ask you what the majority is shown to be in the tables which you are examining?

Question. It went over 1,200 for the constitution, and for Mr. Hoge by over 1,000; the last year republican by over 1,000, the vote being 2,900 to 1,600, or thereabouts. You are acquainted, I suppose, with Anderson County?

Answer. That is the county in which I reside. I attended the election in 1868 at the poll where I reside, a little town of about twelve or fifteen hundred inhabitants. We had a very quiet election there; I do not think there was any violence or any intimidation resorted to on that occasion to influence the colored population, except at one poll in the county. There was one poll, perhaps, where some improper threats were used.

Question. Do you know what has been the condition in Laurens County?

Answer. Yes, sir; there is where the most serious riot that we have had in the State occurred, last October, the day after the election.

Question. I perceive that Laurens voted for the constitution by a majority of about four hundred.

Answer. Yes, sir; they have had a great deal of trouble there. There are some bad men there, I can assure you, according to my judgment.

Question. Was there any trouble in Laurens in 1868?

Answer. No, sir.

Question. Do you know of any trouble in Livingston County?

Answer. No, sir; I have heard of none.

Question. There has been some in Spartanburg, I believe?

Answer. Yes, sir; that is the first county I spoke of.

Question. Did you speak of Union County?

Answer. That is where these parties were taken out of the jail and hung.

Question. Do you know what has been the condition of York County?

Answer. They have some sort of an organization there; some county officers were waited upon and required to resign, and some guns that were sent up there, which had originally been placed in the hands of the colored militia, but afterwards withdrawn, were seized one night and carried off.

Question. Have you any knowledge of any arming of any portion of the population of your State, particularly in those troubled regions? I do not mean by any regular authority or officer of law, but the bringing in of revolving rifles, for instance.

Answer. No, sir; I heard some such thing as that in 1868, but I never attached any consequence to it. I do not think it was so. Nearly all of the young men of the country, when the war ended, had pistols, and most of them, I suppose, have them yet. If there has been any unusual arming, it has not come within my knowledge.

Question. You had no knowledge in 1868 of the existence of this organization, if it existed at that time?

Answer. No, sir.

Question. What you know of it has come to your attention since?

Answer. Yes, sir. I know from this general statement, as you find it in the evidence there before you, that it was alleged a certain portion of the colored vote was intimidated and prevented from going to the polls, but I do not think it was done by disguised men. One of the means resorted to in Newberry in order to reduce the vote there in 1868 was this: they had their polling precincts in different parts of the county; tickets were intrusted to the leading negroes in the localities where there were no white republicans—and there were none in many precincts; parties, the night before the election, went to these colored men and took the tickets away from them, and of course they could not write them, and they had no vote the next day.

Question. Was that done systematically?

Answer. I cannot say that it was done systematically. I heard of it in about four or

five, or perhaps six precincts only, and within the congressional district in which the contest arose between Mr. Hoge and Mr. Read.

Question. You do not know whether that was done by the order of the democratic committees or clubs?

Answer. No, sir; I do not know that.

Question. Speaking in regard to the disposition of the negroes in South Carolina, I would like to ask you whether, in your opinion, if the old white citizens had taken part in reconstruction and had manifested a disposition to accept the situation, as the phrase is, to take part in administering the government of the State under the reconstruction acts, would the negroes have been willing to support them and elect them to office?

Answer. My answer to that would be this: Freedom was considered by the negro a great boon, and he naturally felt very grateful to that particular party that he supposed had given him his freedom. From the very outset he was made to believe that the republican party, as a party, had done that for him; that Mr. Lincoln, in September, 1862, issued the proclamation providing for their freedom on the 1st of January, 1863. Then there was the legislation of Congress afterwards, the civil rights bill and the Freedmen's Bureau bill; then the constitutional amendments, &c., &c. That was all explained to him; and it required a very short argument to be addressed to the most ignorant negro in the State to satisfy him that his attachment to the republican party should be greater than to the democratic party. It was charged publicly by his orators, those whom he had confidence in, that the democratic party had resisted all that legislation; that the democratic party had declared that reconstruction was unconstitutional, revolutionary, and void; and that if the democrats were reinstated in power very many of these privileges would be taken away from the colored people. I thought at the time that it was very unreasonable to imagine for a moment that the colored population could be induced to vote for a party from whom they apprehended such results, and against a party that had done them such service. I have no doubt in the world that if the white element of the South would turn republican, would consent to support the republican party instead of the democratic party—although in the republican party there has been a very pernicious element, there is no doubt of it—I have no doubt if they should support the republican party instead of the democratic party, then the white population of the South would obtain absolute control of affairs there. In the contest of 1870, and it will be the same thing in 1872, the great bulk of the whites thought the democratic party was the party nearest to them. The colored men think the republican party the party nearest to them.

Question. It is really a difference of opinion?

Answer. Yes, sir. And that is the basis upon which they have set out. That is the sort of speech made to them, and you can at once perceive the influence made upon the mind of the colored man, and it will not be eradicated for twenty years.

By MR. VAN TRUMP:

Question. Are there not a great many republican orators in the South from Northern States who instill these ideas?

Answer. Nearly the whole of them were originally from the Northern States.

By MR. STEVENSON:

Question. As I understand you, the reason the colored men in a body have gone for the republican party is not their antagonism to the old white citizens as such, but their opposition to the democratic party?

Answer. The very moment that the colored man could have been satisfied that it was not the purpose of his old master to put him back into slavery, the old master would have obtained influence over him. And as conclusive proof of the correctness of my statement, I think if you will deem it worth while to put the question to every gentleman of the South who may come before you, you will be told that in everything outside of politics the white population, the democratic population, the old slaveholders, the men of most intelligence in the community, have just as much influence over the negro and his conduct, and the management of him, as they ever had. He goes to them for advice, and takes their advice on everything except on the subject of voting.

Question. In every respect, the relations between them are friendly?

Answer. Yes, sir; very friendly and kind.

Question. Were not the negroes very quiet before the war, and during the war, as a class, orderly and docile?

Answer. Yes, sir; I think they are a very docile race.

Question. According to your knowledge of the negro race, is it not the most docile of all races?

Answer. I cannot tell about some of the Eastern races. I think the negro race is a very controllable and manageable race. While they have not a very high sense of right of property, (and that could not be expected of them,) yet I do not think they are wanting in gratitude upon all proper occasions. But when you consider the sudden

change wrought in the condition of the slave from 1865 to the present time, the matter of surprise is that the negro has not become much more insulting, exacting, and domineering than he has.

Question. Is it not true that the negro, during the war and since the war, has behaved rather better than was expected of him by his old masters?

Answer. Infinitely better. In some parts of my State during the war, towards the close of the war, I suppose there were some communities in which the proportion of white men to colored men was about five to one hundred. I do not think that there was more negro violence during the war than preceding the war. Yes, sir; it was very astonishing.

Question. Did they not understand that their freedom depended upon the issue of the war?

Answer. I have no doubt they did, though I did not suppose so then. I have no doubt they understood it better than we supposed they did. I found that whenever any Federal soldiers who were imprisoned there made their escape they were always taken care of in some way or other.

Question. I would like to have your opinion on a question that has been somewhat mooted, and that is, why, in a State like South Carolina, where the negroes are largely in the majority, they have not resisted and retaliated when outraged? Why have they not done somewhat as the white race would do if attacked in the same way?

Answer. I think the moral power of the white race over the colored race, which was acquired during two hundred years of slavery, exists to a very great extent yet. I think you may take colored men and train them and make good soldiers of them, if you have officers who will lead them. But if you trust to their individuality in resisting aggression and outrage upon them, it would be an exceptional case where the white race would be resisted.

Question. Do you believe that, having the numerical majority, as they have there, if they would make an organized and determined effort at resistance and retaliation, they would be successful?

Answer. No, sir; I do not.

Question. Why not?

Answer. For the very reasons that I have assigned to you. Nearly all the white element of South Carolina, from twenty to sixty years of age, was, more or less, during the war, trained to bear arms; they are familiar with the use of arms and have always been. And when you put what would practically be an organized mass against an unorganized mob you will at once perceive what the result would be. I have no doubt that great damage would be done by them.

Question. You mean the whites would be organized and the negroes unorganized?

Answer. Yes, sir; and they could not be organized to such an extent as to accomplish the end you seem to indicate.

Question. I do not mean to indicate any end, but merely to get your opinion.

Answer. Very well; I will withdraw that expression.

Question. How about the means of transportation, railroads, horses, &c.; they would be in the hands of the whites, would they not?

Answer. Yes, sir; but that would be of very little avail to them, for a bridge could be easily destroyed.

Question. Do you know whether any and what advice has been given by the leaders of the republican party, white and black, on that question generally?

Answer. No, sir, I do not.

Question. Have you any knowledge that they have ever advised retaliation?

Answer. No, sir; I do not think they have as a general rule. I have heard it charged against one republican, the only one I know of.

Question. You have heard it charged against only one?

Answer. He was one of the men I had reference to in the county of Laurens. I saw a speech it was alleged he had made, in which he advised the colored organization there that if further aggression was perpetrated upon them, why, a box of matches would cost only five cents, rather intimating that they should resort to the torch. I have heard that he denied it, but I am prepared to believe it.

Question. What class of colored men have been leaders among themselves?

Answer. In my portion of the State the native leaders constitute the leaders of the colored race; generally the best and most intelligent of the former slaves and the issue of the old free negroes. Most of the negroes born there have some intelligence and some education. Then a great many slaves were mechanics and house servants; and although the law prohibited the teaching of those people to read and write, yet in almost every gentleman's house there was more or less of that thing done. They would pick it up, you could hardly tell how; little negro children, by the side of white children when they were learning their lessons, would pick it up. I think as a general rule in those counties the leaders have been very good men. I think that, perhaps, has been one reason why we have had as little trouble as any portion of the State.

Question. Why you have had no retaliation?

Answer. I do not know any reason why there should be any retaliation; there has been no occasion for retaliation there.

Question. Have the leaders frequently been preachers, ministers?

Answer. I cannot say that the political leaders have been preachers, although most of the preachers are politicians.

Question. Are the negroes apt to go to their preachers for advice?

Answer. I do not know about that.

By the CHAIRMAN:

Question. After the colored people there were made free was there any more disposition manifested for the commission of licentious crimes as against the whites than during their slavery?

Answer. Perhaps during the latter part of 1865 and 1866 there were more crimes against property, at least it was brought more to the attention of the white population, than before. The courts for the trial of persons of color in that State were formerly of a very primitive character. It was a very little neighborhood affair, even for the gravest offenses, which were tried before a magistrate and five freeholders.

By Mr. POOL:

Question. You mean before the war?

Answer. Yes, sir; they would try a man for his life, and, if convicted, would hang him if he was not pardoned. They were not required even to sit at the court-house.

By the CHAIRMAN:

Question. Was it not a court of record?

Answer. No, sir, except that at the end of every six months every magistrate was required to return his papers to the clerk's office.

Question. All those crimes are now triable by the proper courts?

Answer. Yes, sir.

Question. As a matter of fact, have there been any more of those crimes committed since the colored race was made free?

Answer. I think that since 1867 there have not been; I think that during 1865 or 1866 there were, or at least it seemed so. Perhaps it was for the reason that we then commenced trying them in a different tribunal from what we formerly tried them in.

Question. Had you, before the war, any State officers corresponding to the State superintendent of education and commissioners of education in the counties?

Answer. We had no State superintendent of education. About 1813 the legislature commenced making an annual appropriation of \$37,500 for the benefit of free schools, as it was called. That was not to establish free schools absolutely, but it was in most instances to pay for the education in populous counties of children whose parents were not able to pay for it. That went on until about 1854, when the appropriation was made double, \$75,000, annually. That \$75,000 was distributed among the various districts or parishes according to their representation in the house of representatives, which gave \$600 to each representative from a county. Then there was a board of commissioners of free schools for each county appointed by the legislature, and this fund was disbursed under their supervision, they selecting the teachers, authorizing them to teach, and providing for their payment.

Question. That fund was applied exclusively for the education of white children?

Answer. Yes, sir.

Question. Has the system established since the war, making education universal, been one of the causes of the increase of the taxation of the State?

Answer. Not a very material increase.

By Mr. VAN TRUMP:

Question. I believe your last appropriation by the State was \$50,000?

Answer. The whole capitation fund, I think, is appropriated to schools in addition to that appropriation.

By the CHAIRMAN:

Question. Is not a large proportion of the school tax raised by county taxes?

Answer. No, sir.

Question. How is it raised?

Answer. By direct appropriation from the legislature. The county commissioners are not authorized to levy a tax for school purposes. Our school system has not yet been fully organized. You will find an act among those passed, I think, at the very last session of our legislature, giving authority to the superintendent of education there to organize a school system. School commissioners are now appointed in each county, but the organization is in a very incomplete and unsatisfactory condition.

By Mr. POOL:

Question. Have you examined the pamphlet to which you have referred in your testi-

mony so as to be able to say whether it appeared to be a ritual of a secret organization?

Answer. That was my conclusion.

Question. You think the publication of that pamphlet, and the issuing of it in certain quarters, was the foundation of much of this organized outrage? You said you had certain reasons for believing so. Will you state whether one of those reasons was that their proceedings were according to the provisions of the pamphlet?

Answer. I cannot say; I do not know enough about their proceedings to say whether they are in conformity or not with the terms of the pamphlet.

Question. You say that pamphlet was sent out?

Answer. So I have heard.

Question. To whom was it sent?

Answer. To the chairmen of the executive committees of the reform or democratic party in the several counties.

Question. Do you know the names of those gentlemen?

Answer. No, sir; I suppose they can be easily procured. I inquired of one of them, after I had seen the pamphlet and satisfied myself that the publication was not a hoax; I saw one gentleman, who was the chairman of the committee at Abbeville, and he said he had not received any copy.

Question. You say that ten copies were sent to each chairman?

Answer. That is what I heard.

Question. You spoke of a man being wounded who had on one of these disguises, and who was afterward killed. Did you understand why he was killed?

Answer. That has all occurred since I left home. The man was named Faulkner. I did not know him personally. I understood before I left home that his leg had been amputated. He was living about four miles from town, and the statement is that four persons went there in disguise and asked his wife to leave the room. This she declined to do; and then they shot Faulkner in her presence. One reason assigned for it is, that it was done by the colored men in the neighborhood in retaliation for the shooting of Young's wife and child, and their shooting him. Another version is, that it was done by a portion of his own band, they being apprehensive that he would be compelled to make some disclosures. There was a rumor that when he was wounded in the street he called out for some young man to assist him who was in the crowd; that young man was said to have been the son of one of the leading merchants in the town of Newberry.

Question. You mean called him by name?

Answer. Yes, sir. These are the two versions which are given. The murdering of this man took place since I have left home; and the two versions have been set in circulation since then. I do not know which or whether either of these versions is the true one.

Question. Do these men parade the neighborhood in disguise at night, or have they been in the habit of doing so?

Answer. I think they have made their appearance at Fairfield twice in the night to notify certain officers that if they did not resign within a given time they would come and attend to them.

Question. Does that produce a state of terror among the citizens?

Answer. I suppose that a band of from fifty to five hundred men, armed and in disguise, appearing in that way, would be very well calculated to terrify them.

Question. Have there ever been any prosecutions in the courts against them?

Answer. No, sir; I think the only man detected within my knowledge was this man Faulkner. It was stated in one of the papers a short time ago, that a man concerned in the murder of a very excellent man over in the county of Darlington was arrested and put in jail.

Question. Is there any reluctance on the part of witnesses to go before the tribunals?

Answer. They never have had any chance to go before the tribunals; there never has been a prosecution.

By Mr. VAN TRUMP:

Question. Nobody has ever been found out?

Answer. No, sir.

By Mr. POOL:

Question. Do not witnesses sometimes go before the tribunals before the men are found out?

Answer. That is not the usage in the criminal courts of our State, though some grand juries will make a presentment on the information they have. But in the criminal jurisdiction of our State the most usual course there is for a party to proceed for his warrant; he makes oath before a trial justice, and a warrant is sued out, and the party arrested, &c.

Question. Has there ever been any difficulty in administering justice in your courts, upon offenses in other respects than this?

Answer. Not that I know of.

Question. Do you think that the State courts are inadequate to manage this affair?

Answer. I cannot say that; I think if they could find out the parties they would be willing to try them.

Question. Would the witnesses have the courage to testify?

Answer. That is a question of doubt. I think if a well-defined case could be found, it would be safer to try it in a United States court, although I am not generally in favor of transferring cases from the State courts to the United States courts.

Question. Why did not the whites vote? What reason did they assign?

Answer. In the first instance?

Question. Yes, sir.

Answer. I think the general impression prevailed among intelligent whites that reconstruction would never be carried into effect, that the convention proposed would never meet, or, if it met, it would never amount to anything.

Question. They have refrained from voting since then to some considerable extent, have they not?

Answer. No, sir; I think they did their best down there for Seymour and Blair.

Question. Did I understand you to say that only 18,000 votes were polled when you were a candidate for governor?

Answer. Yes, sir.

Question. Why was that? Did the colored people vote?

Answer. No, sir; they were not then entitled to vote.

Question. When was that?

Answer. In 1865, under Johnson's reconstruction. The whites refrained from voting at the first election; I do not know but what they were dissatisfied with their candidate.

Question. How many white votes were there in the State at that time?

Answer. I suppose, in round numbers, about 40,000; but some elections since would seem to indicate that perhaps there were more.

Question. I understand you to say about 55,000.

Answer. I did not give that number with certainty, only as an approximation.

Question. Even as long ago as 1865, before there was any colored suffrage, the whites refused to vote in the election, and only about 18,000 voted. When the reconstruction act was passed and the colored people were admitted to the polls, only about 3,000 voted. Now you say there were no democrats who would consent to be candidates?

Answer. I think not; I think it would have cost any man his social status; I mean to have been a candidate of the colored population.

Question. Did they run at all?

Answer. In the counties they might have controlled no white candidates were run.

Question. You could not get them to run on either side?

Answer. No, sir.

Question. Notwithstanding they had the numerical strength to have sent some twenty-five members to the lower house?

Answer. Yes, sir; they ought to send about twenty-five to the lower house, and from ten to eleven to the senate.

Question. And they declined to take part in the election, and then all those counties with a large colored majority came in. And yet, notwithstanding all that, there was a majority of white senators elected?

Answer. Yes, sir.

Question. How many whites were sent to the house of representatives?

Answer. About forty-five the first time; not quite so many in the present as in the first house of representatives.

Question. And notwithstanding all that, there are a majority of State officers who are whites?

Answer. Yes, sir.

Question. Suppose the white people generally had taken part in the election, would not the number of white officers have been greater?

Answer. No, sir; I do not think it would.

By Mr. BLAIR:

Question. You spoke of the very small white vote that was cast (3,000) immediately after the reconstruction acts were passed, in the election held under the law, when a large number of the white people of the State were disfranchised by the act of Congress itself.

Answer. A great many were disfranchised; I am speaking now of the first election. Nobody was allowed to be registered except in accordance with the law; and yet in the county where I reside there were over twenty-one hundred white voters registered. There were some there who were not entitled to vote; I was not myself at the time.

Question. You spoke of the effort to control the colored vote, and I understood you to say that there was a mistake made in trying to control it.

Answer. There were quite a number of mistakes. The first mistake was made in not seeking to be candidates. A great many were disfranchised, no doubt of that, and those who were disfranchised were men of experience. Yet there were many who could have held these positions. All of the efficient men who have been elected by the democratic or reform party to the legislature are young men. The whites at first made no effort at all to give direction to the colored vote; and then they continued to antagonize it by insisting that the colored element should vote the democratic ticket. The republicans would say to the colored men, "you ought not to go with the democrats, for the republicans have done thus and so for you." The result has been to solidify the black element into a compact party.

Question. You consider that the mistake made by the whites was that they did not join the republican party?

Answer. I think if they had all joined it three years ago they would have had the control of the State by this time.

Question. They would have obtained office by sacrificing convictions?

Answer. I do not know that there is any considerable difference.

By Mr. POOL:

Question. Was not the mistake made this, that the democratic party set its face against conferring these rights upon the colored people?

Answer. There may be a difference of opinion on that subject. I think that so far as South Carolina is concerned, we could have afforded to have sacrificed our former democratic principles, in order to have had the State in such a condition as we might now have had it in.

Question. The attempted opposition of the democratic party to conferring these rights upon the colored people has turned them against the republican party?

Answer. It has solidified them into a party.

Question. What is the total vote of the State of South Carolina?

Answer. Between 130,000 and 140,000, I think.

Question. The white vote is about 55,000?

Answer. Yes, sir; perhaps hardly so many.

Question. And the colored vote is some 20,000 in the majority?

Answer. They have about 30,000 majority, I think. The republicans carried the last election by about 35,000.

Question. You spoke something about the tax-payers' convention, which you said was composed of about fifty-five members, of whom fifty were democrats; I understood you to say that, from their investigation, the governor and executive officers were exculpated from the charges of fraud made against them?

Answer. To this extent: in their report on the liabilities of the State their report corresponded with those made by the officers of the State. The only action on the part of the convention that looks toward an absolute condemnation of the administration of State affairs was in regard to an act passed at the last session of the legislature, which has not yet been put into operation, called the sterling loan bill. They set their faces against that act. They announced in their resolutions that if those bonds were put upon the market they would not consent to pay them; that they would repudiate them in the future. I suppose it is not necessary to explain the reason alleged for the necessity of that bill at this time.

Question. I know nothing of it.

Answer. About \$1,200,000 of our debt will fall due during the present year. It cannot, of course, be met by taxation, and the only way to meet it is by issuing new bonds and extending the debt. This bill provided for six millions of dollars and the appointment of a commission to retire this twelve or fifteen hundred thousand dollars and to purchase any outstanding bonds that might remain, at such market prices as they could obtain them for. There was coupled with the act a clause that the public debt of the State should not be hereafter increased to the extent of one dollar without submitting the question to a popular vote, and, unless carried by a two-thirds vote, it should not go into effect. Therefore, if the clause should be observed in good faith hereafter by the legislators, the tax-payers of our State would be able to protect themselves.

Question. You say that fifty out of the fifty-five members of the tax-payers convention were opposed in politics to the governor?

Answer. Yes, sir.

Question. Has not the governor been generally denounced, in the opposition prints and otherwise, all over the State, for fraud and corruption?

Answer. Yes, sir; he and the comptroller general and treasurer. Charges were made that there had been an overissue of bonds, and a corrupt use of the funds of the State, &c.

Question. Were not the charges made against the executive department more grievous than those against the legislative department?

Answer. No, sir; I think both came in for a pretty fair share.

Question. You have spoken of some indorsements, of which I have heard before in connection with South Carolina affairs; I understood you to say those indorsements were made during the war?

Answer. The first loan to the Blue Ridge Railroad Company was authorized in 1859, and was renewed again with some amendments in 1861, for \$4,000,000. There was coupled with it a condition that when those bonds were issued the State would indorse them, and \$3,000,000 of the bonds should not be sold at less than par. The act of the legislature, which was passed in 1868, modified that law, or simply validated it in that form. The last legislature changed that law so as to allow the whole of the \$4,000,000 to be sold at market value.

By Mr. BLAIR:

Question. And the State then released the first lien of the State upon the road?

Answer. Yes, sir.

Question. The State having constructed and owning the great part of the road as it stands, the legislature released the first lien upon that road?

Answer. Yes, sir; but there is a mortgage, which is recorded in all the counties through which the road passes, a first mortgage to secure these bonds; so that the State gets the benefit of it. In the event of the company failing to meet their obligations by paying these bonds at maturity, or the interest upon them, the road itself has to be exhausted; that is all the State could have anyhow.

Question. I understand it differently.

Answer. That is my opinion about it; I have not examined the acts carefully.

Question. What is the significance of releasing the first lien of the State?

Answer. The object is to enable the company to go into the market and obtain another loan of two or three millions of dollars, so as to finally complete the road.

Question. Then, after having exhausted this four-million loan of the State, the company is to be allowed to go on and contract another loan, which will be a first lien in preference to this mortgage of the State?

Answer. I do not understand it in that way.

By Mr. POOL:

Question. The State is still protected as before?

Answer. I do not understand so.

Question. Not so well as before?

Answer. I cannot say that; I would not like to give an opinion, either as an individual or as a lawyer, for I have not examined the act as I ought to do before expressing an opinion.

Question. You understand that the change made was allowing the bonds to be sold at market value instead of at par; and that is the cause of complaint?

Answer. That is one cause of complaint. Of the bonds at first \$3,000,000 were to be sold at par; \$1,000,000 could be sold at less than par, that is, under the old act. Now, all can be sold for market value.

Question. Then the change is as to the \$3,000,000 only?

Answer. Yes, sir.

Question. Does the presence of the United States troops, or the manifestation of a disposition on the part of the Government of the United States to secure the rights which have been conferred upon the colored people, have a tendency to encourage the colored people to go into the courts and endeavor to obtain redress for the outrages committed upon them?

Answer. I do not know what the effect of it is in that point of view. My opinion is that the presence of a few United States soldiers in different localities of the State is likely to be serviceable in promoting the public peace—has a tendency to do so.

Question. Is it not your opinion that the immunity from punishment which these men have, by reason of their disguises, and the intimidation of witnesses, are the main reasons why they continue their operations?

Answer. I think that is a very sufficient reason.

Question. If there was a certainty of punishment they would stop?

Answer. I think so; the catching them is the great point in the matter.

By Mr. BLAIR:

Question. Was there not an act passed by your legislature, called a homestead act under which large bodies of land were purchased by the State government to be dedicated as homes for the colored people?

Answer. Not exactly a homestead act. There was first an appropriation of \$250,000, I think, but afterward of \$500,000 for which bonds were issued. Whether those bonds have been disposed of or not I do not know. Land agents were appointed and lands purchased, which have been, some of them, laid off into lots, while in regard to other lands that has not been done. The real object was to furnish a small lot of land of thirty or forty acres, in some cases perhaps fifty acres, to colored men. It was not restricted to colored men, but I have no doubt it was intended for them. One of the

allegations against one of the State officials was that in one of the transactions a party purchased a lot of land for \$36,000 and sold it to the commissioner for \$120,000.

Question. Sold it to the commissioner for a greater price nominally than it actually cost the commissioner; that is to say, the price was made much larger in order to enable the commissioner to retain so much money for himself?

Answer. That is the allegation; it was supposed that the spoils were to be divided between them; I do not know how that is. At any rate there were some \$90,000 more which the State paid for the land than the intermediate agent paid for it.

Question. You have said in reference to this matter that the people of South Carolina might well have surrendered their former democratic principles, and become republicans, in order to have got the State out of the hands of those into whose hands it has gone?

Answer. I did not state it exactly in that form. I think the white people of South Carolina, by joining the republican party, might have placed the control of the State in the hands of the intelligent and educated population. And from my standpoint, I do not think it would have been any great sacrifice of principle, for I do not perceive any particular abandonment of principle in becoming a republican instead of a democrat.

Question. The point to which I was pressing the question was not one which you seem to understand. It was in the same connection that you spoke in getting the control of the negroes in the hands of the intelligent and property-holding people of the State, and out of the hands of a very pernicious class of people. What class of people do you mean?

Answer. Those dishonest people I have spoken of, if there be such, in the legislature who have been taking bribes; also dishonest executive officers, if there be any, who have been taking bribes; those people who have been enjoying the emoluments and honors of office without being property holders.

By Mr. VAN TRUMP:

Question. Do you mean the class commonly called carpet-baggers, coming from the Northern States?

Answer. There is a distinction; one class of carpet-baggers I would be very glad to see there; another class I think is very deleterious.

Question. What you mean is, it would keep the government out of the hands of that class of people?

Answer. I think it would; I have no hesitation in saying it would be much better to have the government controlled by the virtue and intelligence of the population than even by the medium intelligence—to say nothing of the ignorant classes; you cannot have any government, ordinarily, without intelligence; but then you strike the very difficulty which I indicated awhile ago in South Carolina—in obtaining any influence over the colored people, because the whites refuse to abandon their democratic faith, and the blacks will not abandon the republican faith; the controlling element of the party must be made up of the best element that exists in the party.

By Mr. BLAIR:

Question. Which I suppose you think is not very high in the republican party there?

Answer. I think it might have been higher.

By Mr. VAN TRUMP:

Question. As you have answered some questions which have been put to you lately, I will ask you a question which I would not otherwise have done: What is your present politics?

Answer. I came out last August in opposition to the reform movement—so called—in South Carolina.

Question. You have heretofore denominated that the democratic party, have you not?

Answer. The reform or democratic; I do not expect again to act with the democratic party; I expect to vote with the republican party until the democratic party gets back to its moorings, or until the republican party gets further off from a set of principles which I can afford to support.

By Mr. POOL:

Question. I desire now to ask you a general question: In your opinion, what is the purpose of this organization of disguised men; is it to substitute that as a means of controlling the State for the plan which you have indicated?

Answer. That is my opinion; I think it is looking to the election in 1872; I think we will have very serious trouble there at the election of 1872, if this matter is not arrested in some way; without troops are stationed at every court-house, and without the population are required to go to the court-house to cast their ballots.

Question. You think, then, that this Ku-Klux movement, as it is called, is gotten up for the object and purpose of carrying the elections by taking the control of the State from those who, at present, have control of it through the colored vote?

Answer. My opinion is that the object is to prevent the colored people from voting at the election.

Question. In order to permit the democratic party to control the State, you think the better plan would be for the large active part of the democratic party to join the colored people and the republican party, and in that way to control them?

Answer. That is my opinion.

Question. And those with whom you have heretofore acted now resort to this violent method?

Answer. I do not say those I have acted with heretofore do that; some few of them do.

Question. You say that the class of better people of the same party might stop it?

Answer. I think they might.

Question. But they refrain and allow this thing to go on?

Answer. Yes, sir.

By Mr. BLAIR:

Question. I will ask you what, in your opinion, is the use of having any election at all with such an election law as that which you have in your State; can they not just as well count the State one way as another?

Answer. I think that law ought to be repealed.

Question. Are not the elections in your State completely in the hands of officers who appoint all the officials to take and count the votes?

Answer. The opportunities for fraud are such that I have no doubt the one having control of it could elect whom he pleased.

By Mr. POOL:

Question. That is one of the difficulties of South Carolina politicians at present?

Answer. That election law should be repealed.

Question. You think that could be cured according to your plan?

Answer. I hope it will be cured anyhow; I think the present legislature will do it.

By Mr. COBURN:

Question. Would not the acts you fear be a violation of the oath of office which those officers take?

Answer. Yes, sir; but parties have been convicted.

By Mr. BLAIR:

Question. Would not those very acts also involve that?

Answer. Many of those acts are not under oath. I think the governor, if not in his message, at least in conversation, urged the legislature to repeal that law.

By Mr. POOL:

Question. I think you said that in but a single instance has fraud occurred under this election law?

Answer. Only one, where the parties have been indicted for fraud in counting votes. Many have voted under it who are not entitled to vote. I hope to see the law changed by the present legislature. It was not passed by the present legislature, but by a preceding legislature.

By Mr. BLAIR:

Question. The present legislature is the creature of it, and it is not likely that they will rescind it.

Answer. I think there was no fraud in the State election; the only contest was in the congressional election.

Question. Are not allegations made of very gross and outrageous frauds in a large number of precincts?

Answer. The only county in which I have heard allegations of incorrectness of the count of votes is the county of Laurens. There I think the republican majority was reported as about twelve hundred, while the constitution was carried in that county by about four hundred votes. My own private opinion is that more votes were counted in Laurens for the republican candidates than they actually received. I have no knowledge that such a state of things exists in any other county.

Question. It is not the county in which the contest has arisen between Bowen and DeLarge?

Answer. No, sir.

Question. Are there any allegations of very gross frauds and outrages of a similar character all along the border of the State on the confines of Georgia?

Answer. I think not. My district runs half way from the North Carolina line down to the mouth of the Savannah River, on the Georgia border. I do not think there is any such allegation of fraud there; if so, I have not heard it.

Appendix—to accompany testimony of Hon. James L. Orr.

CONSTITUTION.

I. NAME.

Council of safety.

II. OBJECTS.

The objects of this organization are, first, to preserve the peace, enforce the laws, and protect and defend the persons and property of the good people of this State: and second, to labor for the restoration of constitutional liberty, as taught by our forefathers, and to reform abuses in the Government, State and National.

III. HOW EFFECTED.

Its operations shall be two-fold:

1. Political, social, and moral, under the forms of established laws.
2. Physical, according to the recognized principles of the law of self-defense.

IV. OF COUNCILS.

1. There shall be in every county, (the city of Charleston for this purpose being considered a county,) one council in each beat-district, composed of approved white men above the age of eighteen (18) years. They shall be known by the letters of the alphabet.

2. Each council shall be subdivided into four or more sub-councils, to consist (as near as may be) of not less than ten men each, reference being had in such subdivisions to the protection of neighborhoods.

3. After the first organization of a council of not less than ten counselors, members shall only be admitted by a vote of two-thirds of those present, at a council meeting, after having been proposed by one counselor and recommended by another. A person once rejected shall not again be proposed for membership without one month's notice at a regular meeting, and by a two-thirds vote of those present at a regular meeting.

4. Before his introduction, an applicant for membership shall give the following pledge, in the presence of five counselors:

"I pledge you my honor as a man that I shall never reveal anything that I now know, or that hereafter may come to my knowledge, respecting the council or the organization of which it may be a part, unless I shall become a member thereof, and be permitted to do so by the rules, regulations, and usages of the councils: so help me Almighty God."

5. Having taken such pledge, he shall be introduced by the five attesting counselors and be received by the council standing, and at the dictation of the superior officer present shall repeat the following pledge:

"In the presence of Almighty God, and these gentlemen, I renew my pledge of secrecy to this council and its associates; and further promise and affirm that I will be true and faithful to the council of safety, its subordinates and counselors, and obey all its rules and regulations, orders and edicts, coming to my knowledge, and consistent with the articles of the constitution (II and III) as read in my hearing, while I continue a member thereof: so help me Almighty God."

He shall then be enrolled by a member, and in all proceedings of the council shall be known and designated by his number. The number of a counselor shall never be changed.

6. A counselor shall remain a member until honorably or dishonorably discharged by vote of a majority of his council, or the order of the executive board.

V. OFFICERS.

1. The officers of a council shall be a chief counselor, a first assistant chief, and a second assistant chief, (who shall take precedence in the order in which they are named,) a scribe, and bursar, who shall hold office during good behavior, but subject to a removal by a majority of the council, at a regular meeting, upon cause shown, and after a month's notice to the delinquent. But the executive board may at any time suspend any officer until he may be tried.

2. The chief counselor shall preside over the council when assembled, and enforce the rules and preserve order with the aid of the assistant chiefs.

3. The assistant chiefs shall aid the chief in enforcing the rules and preserving order, and in his absence preside in the order of their precedence.

4. If neither chief nor assistant chief be present at any meeting, a chief *pro tempore* will be chosen by the counselors present, who shall discharge the duties of the office.

5. The scribe shall keep a record of all that may be written, and extend all orders, notices, or summonses.

6. The bursar shall receive and disburse all funds, as may be directed by the council, and keep a true account of the same.

7. Each sub-council shall elect a sub-chief, who shall discharge the duties of chief counselor in his sub-council when assembled, and at the council meetings assist in preserving order and enforcing the rules. He shall also extend all orders, notices, and summonses to his sub-council when required.

VI. OF GENERAL COUNCILS.

1. There shall be a general council in each county, to consist of two delegates from each council, which shall meet monthly, or on the order of the chief, at the county-seat, or other convenient place, to consider and determine all matters pertaining to the safety of the county within the scope of this constitution and under the rules that may be adopted.

2. The general council shall continue in office for one year; but delegates shall be subject to the instructions of their respective councils from time to time, and may be removed by them for cause, after a hearing.

3. The general council shall appoint a general chief and two assistants, a scribe, and bursar, whose precedence and duties shall be as prescribed for similar officers of councils.

4. All communications to and from the supreme council and the councils shall pass through the chief, or other presiding officer of the general council.

5. The general council, or, upon emergency, the chief, or other presiding officer thereof, may assemble any or all the councils under its jurisdiction, and direct their operations.

6. The general councils shall be numbered and so designated in alphabetical order.

VII. OF GRAND COUNCILS.

1. There may be assembled from time to time, at the request of a general council or upon emergency, by the supreme council, at some convenient place in each congressional district, a grand council, to consist of two delegates from each general council in such congressional district, to consider and determine such matters as appertain to the general safety of the territory within their jurisdiction.

2. They shall appoint such officers as are provided for general councils, who shall exercise within their respective spheres similar duties and authority, to hold office until such grand council shall be dissolved by its own action or by the direction of the supreme council.

3. Such officers shall have precedence, while in office, of those of the general councils.

4. The supreme council may dissolve the grand council when the emergency or other cause of its assembling shall have passed away.

VIII. THE SUPREME COUNCIL.

1. The supreme council shall consist of two (2) delegates from each general council, to hold office for one year, but subject to removal for cause by the supreme council, or by the general council by which they are delegated. Said delegate shall be subject to instructions from their respective general councils from time to time.

2. The supreme council shall elect a supreme chief and two assistants, who shall exercise in the supreme council all the duties appertaining to the like officers in the general and other councils, and shall have the right to assume the same duties over any and all the councils assembled on any emergency in the order of their precedence. The supreme council shall also elect a scribe and bursar, who shall discharge the duties proper to their respective offices for the supreme council.

These officers shall continue in office for one year, and until their successors shall be appointed, but shall be liable to be removed for cause by a vote of a majority of the supreme council, after a month's notice, and may in like manner be suspended from office after charges made, pending the hearing.

3. There shall be an executive board chosen by the supreme council, to consist of the officers and ten members thereof, who shall exercise all the general and ordinary powers of that body in the intervals of its meetings, and may convene the same, or the general or other councils, whenever they may deem it expedient.

4. The supreme chief may, upon a sudden emergency, exercise alone any of the powers of the executive board, but shall in such case immediately assemble the board and submit such action for their approval.

5. The supreme council alone shall have power to determine from time to time the political action to be pursued by the council, so far as that action may concern the State at large, but the same shall be concurred in by a majority of the general council before it shall become binding on the counsellors; but no council or counsellors shall pursue a course in opposition to any action proposed by the supreme council pending its consideration by the general councils. Changes in the constitution shall be made only in like manner, by the proposal of the supreme council and the concurrence of a majority of the general councils.

6. The supreme council shall prescribe general rules for the government of all the councils, from time to time, and shall take such measures as the public safety may require. It may call assemblages of any or all of the councils at such time and place as it may deem proper, and shall have power to disperse or control the action of assemblages of councils whenever the public safety may require. It shall prescribe, as often as necessary, a countersign and response, and other means whereby a counselor may distinguish his fellows by day or by night, and also a general system of alarms. Any of these may be temporarily changed, if necessary, by any of the councils, but such change and the reasons which justify it shall be immediately communicated to the executive board for its action.

7. Each general council shall have the power to adopt any regulations for its own management, or to take any action within the limits of its own jurisdiction, not affecting the good people of other counties, which it may deem proper, provided that the same be not in conflict with this constitution, or the powers and authority herein delegated elsewhere.

IX. OF FUNDS.

1. The councils shall contribute to the general fund five cents per month for each member, to be sent through the bursar of the general councils to the bursar of the supreme council. Any council failing to comply with this article may be disbanded by the supreme council.

2. The county fund shall be regulated and disposed of by the general councils.

MEETING OF SUPREME COUNCIL.

1. The first meeting of the supreme council shall be called whenever twenty general councils may communicate with the person from whom this constitution is obtained, and, when convened by a notice from him, may organize and appoint the times and places of future meetings.

2. Each general council will communicate with the person indicated as soon as organized.

WASHINGTON, D. C., June 7, 1871.

SAMUEL T. POINIER sworn and examined.

By the CHAIRMAN:

Question. Please state in what part of South Carolina you reside.

Answer. In Spartanburg County, the most northern county in the State.

Question. How long have you resided there?

Answer. Since February, 1866; a little over five years.

Question. From what part of the United States did you go to South Carolina?

Answer. I went there from Louisville, Kentucky.

Question. Please go on and state the public positions which you have occupied in the State, the manner in which you came to hold them, and your knowledge of State affairs, so obtained, down to the present time.

Answer. I went there in 1866 with no intention whatever of remaining; I went entirely from social reasons—to marry—and I was persuaded to remain there. My wife was a native of Charleston, and I found her up in Spartanburg after the war, where a large number of the Charleston people went during the bombardment of the city. She was an invalid, and I remained there. After I had been there probably eight or ten months, the Post Office Department was about to close the post office at Spartanburg. Several appointments had been made, but none of the appointees could take the required test-oath. An old gentleman had applied for the office, a native South Carolinian, who could have taken the test-oath, but the public pressure was so strong against any one who did so, that he refused to do it; and he came to me and requested me to apply for the office for his benefit. I did so, and received the appointment. Before it came he received an appointment in the custom-house at Charleston, and I turned over the office to a young friend of mine in Spartanburg. After that, Mr. Wallace, at present representative, at that time collector of that district, wanted to appoint a deputy collector there. He offered the position to a number of gentlemen, but none

of them would take it. He finally came to me and requested me to act as deputy collector, which I did; I did not attend to the duties myself, but this friend of mine attended to them. He was a man who had been in the southern army.

By Mr. VAN TRUMP:

Question. Do you mean a collector of State or federal revenue?

Answer. Federal revenue. At that time—it was about the time of the passage of the reconstruction measures—Colonel Cannon, a very prominent citizen of the county, and who represented the county in the State senate for sixteen consecutive years, came to me and requested me to act as registrar of the county under the reconstruction act, stating that he had just had an interview with Governor Orr, who had told him that unless a certain number of men could be found in the county who could take the test-oath, it would be necessary to send the military officers there; Colonel Cannon came to me and made a personal request that I should act, stating that I had been there long enough for people to know me, and that they had confidence in me; I told him I did not desire the position, but that if I could serve the people in any way I was perfectly willing to do so; so I acted as registrar under the reconstruction acts. After I had finished registering the county I went to a number of the leading citizens of the place, Colonel James Farrow, and others, and told them that there was a large white majority in the county, and that if they would take hold of the election, which was about to take place, they could send any delegation to the constitutional convention that they desired. But there was a great deal of apathy about the matter; they seemed to think that the reconstruction acts would not stand, and that the convention would be a farce. Consequently, they let the matter go by default; and two colored men and two ignorant white men were sent to the constitutional convention. Colonel Farrow was elected to Congress immediately after the war, but failed to take his seat. I felt, when I went to that section of the country, a great deal of sympathy for the southern people, and I had my natural prejudices against the colored people. Coming from Kentucky, where I had lived, I thought the Government was a little severe in the policy which it was adopting. I at once assisted the people of the county, and stumped the county in favor of the democratic candidates, Seymour and General Blair. The result of the election was that the county of Spartanburg gave some two thousand democratic majority in the general election of 1868. That county has a larger number of white people in it than any other county in the State, and is the democratic stronghold of the State. After the election was over, and we saw the result, the legislature being filled with colored men, I saw Colonel Farrow and other prominent men there, and told them that the only possible way for the people to recover possession of the State was to take right hold of the colored people, and treat them in every respect as the republican party did there. But they would not do anything of that kind. They seemed to be perfectly blind. After that I was United States commissioner. I lost the position of postmaster and deputy collector in the changes which were made. But I held the position of United States commissioner, and had a good deal to do in connection with the revenue troubles which occurred in our county. There has been a good deal of illicit distilling going on there in the mountains bordering on North and South Carolina; and a year ago last spring we were obliged to call in the aid of the military to suppress the illicit distilling. We made one or two expeditions through the mountains and collected a good many stills. The people all seemed to uphold this illicit traffic; there seemed to be an opposition to the enforcement of the law by the United States troops. I was at that time editing a democratic paper there. I was forced to uphold the action of the Government and its officers. I did everything I could in that direction. As a Union man—a man who was born at the North, and who had been in the Army—I found that the only party in the State which recognized the Government or recognized the results of the war in any way was the republican party.

By the CHAIRMAN:

Question. Were you in the Union Army?

Answer. Yes, sir; I went out from Kentucky.

Question. Proceed with your statement.

Answer. Just before our last campaign—it was May, a year ago—I went with Governor Orr and a number of the other citizens there and identified myself publicly with the republican party. I made my paper a republican paper. I did everything I could in the last State election for the reelection of Governor Scott and our other State officers. From that time I have been in very deep water.

Question. During the time you were acting as United States commissioner, and in aid of the officers in upholding the revenue laws, were you at any time ordered away?

Answer. Not at that time.

Question. At any time?

Answer. Well, I was ordered away last fall, immediately after our last election, in November. It was soon after the first appearance of this Ku-Klux organization, or whatever it is. Soon after these outrages occurred in our county I received a note

ordering me away from there, stating that I must leave the county: that all the soldiers of the United States Army could not enable me to live in Spartanburg. It arose, I presume, from the direct prejudice toward me—the ill-feeling—the feeling of hostility. About sixteen miles from Spartanburg, in Limestone Springs Township, two days prior to our election, a party of disguised men went, at night, and took out two white men and three negroes, one of them a colored woman, and whipped them most brutally. Two of them were managers of the box at that election; and the men told them that if they dared to hold an election at that box they would return and kill them. That was the first appearance of any trouble in the State. I went out there in connection with the magistrate and State constable, and we arrested five parties. I took these two negro men and the colored woman into town. They were afraid to remain where they were. The day after the election I took these colored people to Columbia and showed them to Governor Scott, Senator Robertson, and others. It was just at that time that the Laurens difficulties occurred. It was from that action of mine that the people became so incensed toward me.

Question. Were those persons of whom you spoke in disguise?

Answer. They were all in disguise. One of the colored men who were whipped swore positively as to the identity of some of them, and the parties were arrested, but nothing could ever be done with them; they proved an *alibi*, and some of them have since gone to Texas. That was the first outrage that occurred in the State. It was just prior to the last election.

Question. In what month was the election held?

Answer. In October.

Question. Go on and state any similar occurrences in that county since that time, of which you have derived knowledge in your capacity as United States commissioner, and as a citizen of that county.

Answer. Since that time outrages of that nature have occurred every week. Parties of disguised men have ridden through the county almost nightly. They go to a colored man's house, take him out and whip him. They tell him that he must not give any information that he has been whipped. They tell him, moreover, that he must make a public renunciation of his republican principles or they will return and kill him. Just prior to my leaving home an old man came to town on sales day; he was a white man, sixty-eight years of age, who has had no connection whatever with the State government. Coming to town on sales day, he called a few of us together and showed us his back, stating that the Saturday night previous a party of disguised men came to his house, took him out and whipped him, and ordered him to come to town on sales day, and, in the presence of the crowd, publicly renounce his republican principles, and ask for pardon of the people for ever having identified himself with the republican party. He asked us what he should do. There was a lieutenant there in charge of twenty-four men, a little detachment of infantry sent up there on account of the disturbances. This lieutenant told the old man that he would send a squad of men down to his house, if he feared any trouble that night. The men who had whipped him had told him that unless he did this thing they would return and kill him, and that if he gave any information of what had occurred to him, they would kill him. The result was that the old man was obliged to get up there on the court-house steps in the presence of the people of the county and tell them that he was very sorry he had ever acted with the republican party, and hoped they would forgive him for it.

Question. What do you mean by "sales day;" is that the day of your judicial sales?

Answer. Yes, sir; all the sheriff's sales and all the sales by order of the court occur on the first Monday of every month.

Question. Is there a general attendance of the people of the county on those days?

Answer. Yes, sir; a very general attendance; and it was, perhaps, larger on that day. It seemed to be understood among the people, and among the leading citizens of the town, that this old man was to make this public renunciation; for old Mr. Bobo, a prominent lawyer—the oldest lawyer at the bar there—went to the sheriff and asked him to suspend the sales in order that this old man could make his speech before the crowd dispersed. They were all there assembled to hear him; and after he had got through they went up and congratulated him, shook hands with him, welcomed him, and so on.

Question. State the name of this man.

Answer. His name is John Genobles.

Question. Was he a leader among the colored people?

Answer. Not at all; he was a man of no special influence.

Question. He was a white man?

Answer. Yes, sir. Then again it has come to my knowledge officially that a number of negroes are employed in building the air-line railroad which is being constructed between Atlanta, Georgia, and Charlotte, North Carolina; and these disguised men go there to the road, take these negroes out and whip them, and force them from the road back to the farms to labor. They receive higher wages for working on the railroad;

and these men go there and force them back to the farms. In one instance an old negro man came to town from Broad River and stated that parties had taken his portion of the crop away and had forced him back to labor with his old master, stating that he was just as much a slave as ever. These parties have complete control of the county. The colored people are all intimidated—subdued. The few prominent white men who are republicans cannot say a word because the people are unprotected. They cannot state these things publicly. I could not do so because I knew that if I did these parties were liable to further ill-treatment—I could not say anything about it.

Question. How many cases of actual violence within the county of Spartanburg have come to your knowledge since the first case of which you spoke? I mean violence inflicted by persons in disguise upon either negroes or white men.

Answer. Well, I suppose there have been fifty or sixty. They are occurring constantly. Little squads of men—I do not believe they are the regular Ku-Klux organization—get together to the number of eight or ten, disguise themselves, go to some negro's house, and whip him. It seems to be an amusement with them. Every Saturday night they go to somebody's house, take him out, and whip him.

Question. Has complaint been made to you in your capacity as United States commissioner?

Answer. No, sir; not in my capacity as United States commissioner. At that time the Ku-Klux bill had not passed, and I had no authority in any way to take cognizance of those matters. But they were all told to me privately; and people consulted me as to what they could do.

Question. As publisher of a newspaper in that town, you did not feel at liberty to give publicity to these cases?

Answer. No, sir; I did not.

Question. For what reason?

Answer. Because the people had no protection. Every one who was whipped was told that if he gave any information of it, the party would return and kill him, or treat him more severely. As there was no protection for these people in any way—the State afforded them none—I would not make known through the press any of these troubles.

Question. What was the result of any proceedings that were instituted in the State courts against parties charged with these offenses?

Answer. There never has been but one case. That was the first case that occurred—the whipping of some colored man. He was examined before a magistrate. On that preliminary examination the party was bound over to appear before the court; I think it was last November. He appeared there; and a number of young men came into court with pistols slung around them. The grand jury found no bill; and they cheered in the court-house when the grand jury made their return. This is the only case that has ever been brought before the courts.

Question. Who cheered?

Answer. These young men broke right out into a hurrah.

Question. Who was the judge of that court?

Answer. At that time Judge Vernon was the judge; he has since resigned.

Question. Did he take any action in regard to a contempt of that kind in his court?

Answer. No, sir.

Question. Were those armed persons who were in the court at that time implicated in the charge?

Answer. No, sir; not directly.

Question. Were they from the neighborhood in which the occurrence took place?

Answer. Yes, sir; they were all from the same neighborhood as the young men who, we have every reason to believe, are connected with these things.

Question. In your statement, a moment ago, did you mean to imply that many of these offenses are committed by persons who are not members of the regular Ku-Klux organization?

Answer. I think so.

Question. What do you know of the existence or extent of that organization in that county or in that part of the State?

Answer. Well, I know nothing directly, except that at the time of the jail delivery in Union, a neighboring county, there were five hundred men raised within two days; and I am confident a great many of them went from our town and from our county. I think that was done by the general organization, whatever it is. But as to these minor outrages I doubt very much whether they are.

Question. Do the facts that have transpired and the manner in which they have occurred satisfy you of the existence of the organization in that portion of South Carolina?

Answer. Yes, sir; I have no doubt of it in the world. I have received anonymous communications signed by the order of "K. K. K.," directing me to leave the county, stating that I could not live there; that I was a carpet-bagger. But personally I have never met with any trouble.

Question. Were any threats used against the magistrate by whom these men were committed for trial?

Answer. He has since been obliged to remove to town for protection—he and his whole family. I don't know whether it was on that account or not. It was near his house that this outrage occurred, just prior to the last election. The election was to be held at his house. His son was one of the managers. He was a magistrate, and bound this man over to appear before the court. But he and his whole family were obliged to come to town, and are there now. They cannot go to their farm to remain. We have a number of persons in town—I suppose there are twenty-five altogether, black and white—who cannot go to their farms and live on them.

Question. To what extent and in what manner are these offenses connected with political parties there?

Answer. Well, I think it is altogether a political matter there, because the county is a democratic county. They have their representatives in the legislature; they have possession of all the county offices—sheriff, clerk, probate judge, county commissioners, &c., and they require almost all those upon whom they commit these outrages to renounce publicly, through the press or in some other way, their republican principles. They state plainly that they intend to keep down the negro and get the control of the State. There is no occasion for anything of the kind there. There may be occasion in some counties for something of this kind; but in ours there is not the slightest occasion for it, because the whole political machinery is in their hands; they have control of it. Yet there are more outrages occurring right there than in any other portion of the State, and they are kept up more continuously.

Question. You spoke of a gentleman who gave notice to the sheriff of this renunciation which was to be made at the court-house. Was he a member of the democratic party, and of prominence in it?

Answer. Yes, sir; he has always been a prominent man there. His name is Simpson Bobo. He is a very prominent lawyer.

Question. What is the name of the sheriff?

Answer. John Dewberry. He is a very good man and a very fair man. A party of fifty men came in there one night and went to the jail in order to release a white man who was condemned to be hung for the murder of a colored man. They demanded entrance, but the sheriff refused to admit them, and they finally went away without accomplishing their object.

Question. When was that?

Answer. That was some time last spring; I cannot remember the date.

Question. Were they in disguise?

Answer. Yes, sir.

By Mr. POOL:

Question. When you say "last spring," do you mean twelve months ago?

Answer. No, sir; I mean the spring just past.

By the CHAIRMAN:

Question. How recent have been any of the outrages that have come under your knowledge in that county?

Answer. I left home about two months ago. Up to that time they were being kept up constantly every week; and I have seen from the papers that they have been going on since I left there. A number of railroad-hands have been whipped and one black man has been killed.

Question. To what extent does this state of affairs exist in the counties adjoining Spartanburg?

Answer. I cannot state, except what I hear reported and see in the public prints. In Union County there has been a great deal of trouble, though not to such an extent as in ours; that is, there have not been so many of these minor outrages. There were one or two jail deliveries there; some ten or twelve colored men were taken out of jail and shot; but that was an organized thing and it was done systematically. In York County there has been a great deal of trouble. In York, Union, and Spartanburg Counties there seems to be more trouble than in any other county in the State.

Question. Is there redress in the State courts for the wrongs perpetrated in this way against individuals?

Answer. No notice has ever been taken of them by the State courts at all. There was the case of Doctor Winsmith, an old citizen, one of the largest landholders in the county, and one of its most prominent men. He had represented the county in the legislature for sixteen or twenty years, and belonged to the old land aristocracy of the place. Just prior to the last election he followed Governor Orr, and identified himself with the republican party. Last March about thirty men disguised went to his house at night, and shot him in seven different places. He has had no connection with the State government in any way whatever. He has no sympathy with the corruption existing there. He wrote a number of letters in regard to the convention that was

held last month in Columbia, favoring the action of the convention. But these men went there and shot him at night. They called him out of his house and fired a volley upon him, shooting him in seven different places. The court at the time was in session; the judge was sitting on the bench; yet no notice was taken of it in any way; no effort was made to trace the parties, although we heard of them at one place and another. Neither the judge nor any of the State officers took any notice of it.

Question. In that portion of the State is there security for the persons and lives of those who express their political sentiments openly?

Answer. No, sir; I do not think there is, not after night. I have been obliged to leave my room for fear of trouble and sleep elsewhere, where nobody knew that I was. We have occasionally had intimations of trouble; that trouble was brewing, &c. We always heeded those warnings, and took precautions against trouble.

Question. Does your statement apply to persons of both political parties?

Answer. Well, there has been no trouble whatever with the other party. I have never heard of any of them being troubled in any way. It is all a one-sided matter. Every week, I suppose, since the election, there have appeared in the Spartan, the democratic paper, one or two cards from men who have been 'republicans, who come out and renounce their republican principles, and state that hereafter they will act with the democratic party. But we have affidavits from a large majority of them, stating that they have been obliged to make this public renunciation; that they have been either whipped or threatened. With us I am confident that it is a political matter entirely in our county, for I can account for it in no other way; and there is more trouble there than in any other portion of the State.

Question. If any excuse or justification is urged for this course of conduct by those who are charged with it, state what it is.

Answer. The only excuse I have ever heard them offer was that they proposed to keep down the negroes, and to get possession of the State government in one way or another.

By Mr. BLAIR:

Question. Whom did you hear say that?

Answer. I cannot mention anybody in particular; but that is the general talk about—that they propose to get possession of the State government. I have never heard any excuse offered by anybody; but that is the way they talk in the streets, in the hotels, and everywhere.

By the CHAIRMAN:

Question. During the early part of your residence in South Carolina, you having been a Kentuckian, having married a South Carolina lady, and acting in the capacity which you have stated, were you molested in any way in consequence of your political opinions?

Answer. Not at all; I was very kindly and courteously received everywhere.

Question. Down to what time?

Answer. Until I commenced editing a republican paper. I made my paper republican immediately after the last general election. After those revenue raids, I was very badly abused for the part I took in them as United States commissioner. From that time there was a very different kind of treatment toward me. I do not think that any northern man can go there and express sentiments in opposition to the majority of the people and live with any safety or comfort. I have no idea that he can.

Question. Can a native southern man, entertaining opinions contrary to the public sentiment of the country, express them and live in safety?

Answer. No, sir; he cannot.

By Mr. POOL:

Question. Please name some of the counties of North Carolina bordering on your section of South Carolina.

Answer. Rutherford, Polk, and Cleveland. There has been a great deal of trouble in Rutherford.

Question. Does York County adjoin Spartanburg County?

Answer. Yes, sir; York, Union, Spartanburg, and Laurens lie right together.

Question. That is where there is trouble?

Answer. That is where the most trouble is. There has recently been some in Chester, York County borders upon Gaston and Mecklenburg. It is right in this section of the State that most of the trouble is, where there is a large white majority among the people.

Question. Is there any trouble in Greenville County?

Answer. I have never heard of a case.

Question. Is there any in Union County?

Answer. Yes, sir; there has been a great deal of trouble there. That is where those jail deliveries were made last fall, and so many negroes were taken out and shot.

Question. Have there been any prosecutions at all for these offenses?

Answer. No, sir; not in my county, and I do not know that there have been in any excepting in Laurens. After the troubles that occurred there last October, a number of indictments were found, and parties were bound over. But that transaction was not committed in disguise; it occurred in the day-time; it was a public riot rather than anything else.

Question. Have any parties been punished for these offenses?

Answer. I have never heard of any.

Question. Why did Judge Vernon resign?

Answer. He was about to be impeached by the legislature, and he resigned.

Question. What were the counties over which he presided as judge?

Answer. Laurens, Spartanburg, and Newberry.

Question. How was he elected?

Answer. He was elected by the legislature.

Question. At the time there was cheering in court on the failure of the grand jury to find a bill against the parties, did the judge make any effort to punish the parties or have them arrested for contempt?

Answer. No, sir; none to my knowledge.

Question. Were the parties who did that armed?

Answer. Yes, sir.

Question. What was their number?

Answer. I suppose there were a dozen probably of these young men; perhaps not so many.

Question. Have you any judgment as to why the judge did not attempt to punish them for contempt?

Answer. I have not. His court was conducted rather loosely, and a great many things which were not very dignified were done in the court.

Question. When did he resign?

Answer. I think it was in January.

Question. Who succeeded him?

Answer. Judge Montgomery Moses.

Question. What has been the character of his course as a judge?

Answer. He has never held but one court there, but he seemed to give satisfaction to the people. He is a very conservative man. He belongs to the reform party of South Carolina.

Question. He is a democrat, you mean?

Answer. Yes, sir, a democrat, conservative in his views.

Question. Have these outrages continued since he has been on the bench?

Answer. Yes, sir, while he was holding court, Dr. Winsmith was shot at and wounded.

Question. There has been no diminution of these outrages since he went on the bench?

Answer. None whatever.

Question. There is no effort made to stop them by the State authorities?

Answer. I have asked why they did not go to work and do something. They would say, "Well, what can we do? Nobody makes affidavit that there has been trouble, and we cannot do anything about it."

Question. What is the cause of the failure to make affidavit? Is it intimidation?

Answer. Yes, sir, intimidation.

Question. Are the people afraid?

Answer. Yes, sir, they are afraid to make the facts known.

Question. Is it supposed that many persons have outrages committed upon them which are never known for this reason?

Answer. Yes, sir, a great many.

Question. Has the Governor ever sent any military forces there?

Answer. There is now a company of cavalry there. It arrived just before I left home.

Question. Are they State troops?

Answer. No, sir, they are United States troops; no State forces have ever been sent there. There is no organization of any kind in the State to enforce the laws. The Governor did have a military organization, but since the troubles commenced he disarmed them all and broke them up. He had a constabulary force which was rather effective, but that has been disorganized or disbanded, so that now there is nothing of that kind.

Question. Suppose he were to attempt to raise a military force, of what color would it have to be composed?

Answer. It would mainly have to be composed of colored men.

Question. Why?

Answer. Because they constitute the majority of the republican party there; in fact, almost all of it.

Question. Could he trust the white men there?

Answer. I don't think he could; I would be afraid to do so.

Question. You think that in the present state of that community, any military force to be efficient would have to be composed mainly of colored men?

Answer. Yes, sir; I do.

Question. What were the charges against Judge Vernon on which it was proposed to impeach him?

Answer. The principal charge was drunkenness. His court was in session in Laurens the day that the outbreak occurred, when so many men were killed, the day after the last election in October; and some charges were made against him in regard to his action in that case. He did nothing whatever to stop the troubles. General incompetency and drunkenness on the bench, were, I believe, the charges.

Question. In cases of thefts, and ordinary assaults and batteries, and other criminal offenses not connected with this disguised organization, are they punished?

Answer. Yes, sir.

Question. Is there any lack of the courts or civil authorities in bringing such offenders to justice?

Answer. Not at all. They are very active in doing it.

Question. Suppose colored men commit offenses?

Answer. Well, they really make no discrimination at all in offenses of that kind.

Question. There is no trouble then except in regard to offenses of this particular character?

Answer. That is all.

Question. Do you know of any prosecutions in the courts which you would consider malicious?

Answer. No; I do not.

Question. You have not seen the courts resorted to for the purpose of malicious prosecution?

Answer. No, sir.

By the CHAIRMAN:

Question. You stated that in the raid upon the Union court-house you believe a number of the citizens from your town participated?

Answer. Yes, sir.

Question. Have you any facts upon which to base that opinion, and can you give the names of those whom you believe to have participated?

Answer. I can only say this: there seemed to be every indication in town that some kind of trouble was brewing. We rather thought a raid was going to be made on our town. A number of men from different parts of the county were in town that afternoon, and we had intimations that trouble was springing up somewhere. Half a dozen of us got together after supper, got our rifles, went into a brick house, and staid there until 3 or 4 o'clock in the morning, but no trouble occurred there at all. It occurred the same night in Union, twenty-eight miles from us. There were four men rode out of town just after dark. We staid up until 4 o'clock, and they had not returned. They were men that we had suspected. We did not know at that time what the trouble was, but we have reason to believe that they went on that expedition. I heard that in the livery-stable there was not a horse that night.

Question. Who keeps that livery-stable?

Answer. L. M. Gentry.

Question. If your conjectures are correct, who could probably give us information as to the persons who committed that raid on Union court-house?

Answer. Well, I really do not know. Mr. Gentry is a man of considerable character, and, so far as I know, a very conscientious man. If our suspicions are correct I think probably he might tell something about the matter. I do not know, though. It is only a suspicion on our part; we have no means to prove it.

By Mr. POOL:

Question. What is the residence of Mr. Gentry whom you have mentioned?

Answer. He lives in Spartanburg County, near Glenn Springs.

By the CHAIRMAN:

Question. What is your belief as to whether a committee sitting at Spartansburg could procure evidence of the persons engaged in these offenses, or evidence from persons who have been victims of them?

Answer. I think you could procure evidence from the victims; and I think most of them are pretty well satisfied in their own minds as to who some of the parties are who committed the outrages. Every one of them who spoke to me about it told me they felt pretty well convinced on that point; but they won't tell me who they were. I suppose they would tell a committee of this kind. But I doubt very much whether they could substantiate their own convictions or prove them to anybody, for they are the sole witnesses of the transactions, and however well convinced they may be, I am satisfied that you could not get a conviction in court. It would be all folly to expect

it. Those colored men who were whipped in October told me positively who half a dozen of the parties were, and they were arrested. I am satisfied in my own mind that they were connected with it. But the only witnesses to be had are the parties themselves, and they were terrified at the time. The parties were disguised; and these men all come in and prove an *alibi*. You cannot do anything with them at all.

By Mr. BLAIR:

Question. Was anything ever done to these witnesses who appeared and had these men arrested and arraigned? Were they injured by anybody?

Answer. Yes, sir; there were some colored men; those were whipped, and they never have been able to return. They were the only witnesses; they have never been able to go back to their homes; they are now staying in town; they had little farms out there with crops of some kind, which they have never been able to go back and gather.

Question. Did they make any attempts to go back?

Answer. Yes, sir; one of them did. They were notified that they must not go back; that they could not live in that section of the country.

Question. When this one of them attempted to go back, what occurred?

Answer. Nothing special occurred. He was there a day or two, got alarmed, and returned to town. There are white men and black men who for three months never dared to sleep in their own houses, but were obliged to lie out at night in the woods and in the swamps.

By Mr. STEVENSON:

Question. About what time was that?

Answer. It was last October that this first outrage occurred; but ever since then republicans all over the county have been afraid to stay at their own houses.

By Mr. BLAIR:

Question. You say that you have been threatened and notified?

Answer. Yes, sir.

Question. Was any violence ever offered to you?

Answer. None at all.

Question. How do you account for that? Were the threats mere bravado?

Answer. Well, I don't really know. They sent me a note ordering me away. I published it, and made a few remarks about it. I told them I was not quite ready to leave. But nothing has ever resulted from it. I heard intimations that they were coming there to throw my press out of the window, and so on; but they have never interfered with me personally. Of course, I have been in a state of great uneasiness all the time, and, as I have stated, many nights I would not sleep in my own room.

By Mr. VAN TRUMP:

Question. How long ago was this note sent to you?

Answer. It was last November. They have never troubled me personally. I have no connection with the State government.

Question. You have a connection with the partisan press there?

Answer. Yes, sir. I am editing a republican paper.

Question. Do you advocate the cause of the negro in your paper?

Answer. Not the negro especially. I advocate the general principles of republicanism.

Question. You support the whole republican doctrine in your paper?

Answer. So far as general principles go, I do. I do not approve or uphold the State government in many of its acts; but, so far as the general principles of republicanism are concerned, I uphold it very strongly. I advocate the right of the colored people to vote and to exercise their civil and political privileges.

Question. Then, notwithstanding that you are the editor of a republican paper, and there are only eight or ten of you, as I understand, who can get together to defend yourselves, and although this note was received as long ago as last November, you have experienced no molestation since?

Answer. No molestation; for soon after that I went to Columbia, where I remained about two months, during the session of the legislature. Since then we have had a military force right in the town, and these men never go where they are going to get into any trouble or difficulty. If I had remained there all the time, and there had been no military force, I have not the slightest doubt in the world that I would have been troubled.

Question. These men who assert that their object is to put down the negro and get possession of the Government are prominent men, are they not?

Answer. Yes, sir.

Question. Can you name a single man?

Answer. Well, I cannot name anybody specially who has made such a remark, but I hear it in the hotels.

Question. Have you yourself heard them make the remark?

Answer. I have heard the remark made; it is a common thing.

Question. Is it not rather an uncommon remark?

Answer. It is not, there.

Question. You cannot recollect the name of a single person who has made that declaration?

Answer. No, sir; I cannot recall any now.

By Mr. BLAIR:

Question. The publication of your paper was continued during the winter, was it not?

Answer. Yes, sir; it is being published now.

Question. It was published during your absence?

Answer. Yes, sir.

Question. You have said this Dr. Winsmith was shot. Was he killed?

Answer. No, sir; he is recovering. He was shot in seven different places, but they all happened to be flesh wounds.

Question. Did you ever speak to him on the subject?

Answer. No, sir; I have not seen him. I have seen his son very frequently.

Question. You say that he had announced his adhesion to Mr. Orr's programme?

Answer. He followed Governor Orr. After Governor Orr announced that he proposed voting the republican ticket, Dr. Winsmith and one or two others did so.

Question. He had no connection with the corruptions of the State government, you say?

Answer. He had no connection with the State government at all.

Question. When you speak of the corruptions of the State government, what do you refer to specially?

Answer. I refer to this: Our legislature there is rather corrupt, and I think a good many of the county officers carry on their official duties very corruptly. There are a great many charges of corruption against the State government. I do not know whether they are all true or not, but I have reason to believe there is some foundation for them. But in our county there is no excuse for anything of the kind, because the whole thing is in the hands of the other party, and there are no accusations of corruption of any kind.

Question. So far as county officers are concerned?

Answer. Yes, sir; and members of the legislature from our county, and State senator.

Question. Where does Governor Orr reside?

Answer. In Anderson County.

Question. Do you know anything in reference to the homestead act which was passed by the legislature of that State—an act to acquire lands for the State government?

Answer. There is a homestead act which was framed in 1867 or 1868, and engrafted upon the State constitution.

Question. I mean the land commission for the purchase of lands.

Answer. I know nothing about that, except that there is a land commissioner, whose duty it is to purchase lands at the expense of the State and sell them again; there have been a great many charges made against that commissioner, but whether they can be sustained or not I do not know; there are committees investigating the action of the commissioner now.

Question. Committees of the legislature?

Answer. Yes, sir.

Question. When did you go to South Carolina?

Answer. In February, 1866.

Question. You have resided ever since in Spartanburg?

Answer. Yes, sir; I have resided right there ever since I have been in South Carolina.

By Mr. VAN TRUMP:

Question. What took you to Spartanburg?

Answer. I went there to marry; my wife was a Charleston lady; I was engaged to her prior to the war; after the war I went to Charleston, and found that most of the Charleston people had gone into the upper portion of the State when Charleston was bombarded.

Question. What position do you now hold under the Federal Government?

Answer. I am a United States commissioner.

Question. Have you the government printing?

Answer. No, sir.

Question. Where is the government printing done?

Answer. I really do not know; a Charleston paper, I believe, has it; and a Darlington paper, I think, publishes the mail routes or mail contracts; it is a democratic paper; I have no government printing of any kind.

By Mr. COBURN:

Question. You spoke about the corruption of the county officers in their official conduct do you know anything about that matter personally?

Answer. I do not.

Question. Do you know of any of those officers having been removed for corruption?

Answer. I have never known any to be removed; it is a general charge; most of them are officials in the lower part of the State.

Question. Are there any charges against those in your part of the State?

Answer. No, sir; no charges of any kind have been made, so far as I have known.

Question. By the "lower part of the State," do you mean the southern part?

Answer. The southern portion, where there is a majority of negroes and where colored men have been appointed to offices. In Charleston County a great many charges have been made against the commissioners.

Question. Are these charges made in newspapers or are they mere floating rumors?

Answer. They are newspaper charges.

Question. Have there been any prosecutions?

Answer. In Charleston County the commissioners are being prosecuted in the State courts for official corruption, but I do not know what it will amount to.

Question. That is all you know about it?

Answer. Yes, sir.

Question. You do not know the nature of these corrupt acts?

Answer. No, sir; I do not. The State officials have expended an enormous sum of money; I know that from the records; and it is charged that it has been done corruptly, and the matter is being investigated.

Question. You said something about an old gentleman from Broad River being forced back to his old master to work for him. Who was he?

Answer. I cannot now recall his name. He is an old colored man. I did not know him until he came there and made a statement.

Question. Was he forced back from your town?

Answer. No, sir; he was living down on Broad River.

Question. How far is Broad River from where you reside?

Answer. Some ten or fifteen miles probably; it is a river running between York and Spartanburg Counties.

Question. What is the name of the railroad, the hands of which were forced back?

Answer. It is called the "Air-line Railroad." It is a road being built between Atlanta, Georgia, and Charlotte, North Carolina.

Question. How far is that from where you live?

Answer. The road runs right through our town.

Question. Were men forced back from your neighborhood?

Answer. Yes, sir; the contractors are working right there on that portion of the road, and these outrages occur there; these negroes being whipped and forced back.

Question. Can you say about how many have been compelled to go home?

Answer. At least five or six before I left home; and I see by the papers that there were six or eight whipped a week or two ago on the railroad.

By Mr. POOL:

Question. Are the charges of corruption, of which you speak, made by the press?

Answer. By the press, principally. That is where I learned of them.

Question. You mean the democratic press?

Answer. The democratic press.

Question. Have those charges been made as much against the Governor and the executive officers as others?

Answer. Yes, sir; they include the whole State government.

Question. Was the Governor especially attacked?

Answer. Yes, sir; he has been attacked in every way.

Question. Has he been charged with corruption?

Answer. He has been charged with corruptions of all kinds.

Question. With mismanagement of State funds?

Answer. Yes, sir.

Question. Do you know whether the recent convention called the "tax-payers' convention" investigated the charges against him?

Answer. They appointed a committee consisting of Mr. George Trenholm, and Mr. Smith, a banker in Charleston. They investigated the books, and made a report which was very favorable to the State government.

Question. Did they exculpate the Governor and executive officers?

Answer. Yes, sir; entirely.

Question. Was that committee composed of democrats or republicans?

Answer. Of democrats entirely.

Question. Leading democrats in the State?

Answer. Yes, sir; Mr. George Trenholm was secretary of the treasury of the confed-

erate government; he was the principal member of the house of John Frazier & Company.

Question. You say these charges of corruption against minor officers have not yet as a general thing been investigated?

Answer. No, sir; the charges are newspaper charges, and the only cases I have ever known to be investigated are those of the commissioners of Charleston. They are now being investigated by the court. I have never known of any other. These charges have been made, and I am convinced in my own mind that in many instances they are to a certain extent true.

Question. You think there is some foundation for them?

Answer. I think there is, although those who make the charges do not have them investigated at all; do not bring them before the courts.

By Mr. STEVENSON:

Question. You spoke of young men coming into town and into the court-house armed; how were they armed?

Answer. With pistols; they wore belts around the waist with pistol holsters, and pistols in them.

Question. Did you notice any repeating rifles in the hands of the young men of that county?

Answer. No, sir, I did not see any rifles.

Question. I do not mean on that particular occasion.

Answer. No, sir, I do not know of any.

Question. Dr. Winsmith is a white man, is he not?

Answer. Yes, sir; a native of South Carolina, and, I believe, of Spartanburg. He has always been a leading man of that county.

Question. In the descriptions of the whippings, as given to you by the victims, did they describe the manner in which the whipping was inflicted?

Answer. Yes, sir; they told me the men would come into their houses, blindfold them, and take them away, probably a quarter of a mile.

Question. Usually at night?

Answer. Always at night. They would force them to lie down, and would pull up their shirts. Then, as I am told, the men would stand in a row, the leader would call out "Number one!" when "number one" would step up and strike the victim one blow; then "number two" would be called, and so on. In one instance, it went as high as a hundred, I believe. Each man steps up and strikes the victim. I suppose the object is to implicate them all alike.

Question. Did they describe the implement with which the whipping is done?

Answer. It is generally done with branches pulled from the trees, with hickory sticks, or something of that kind. In one case a man told me one of the men struck him with one of these big bull-whips.

By Mr. POOL:

Question. You mean that the men were stripped to the skin, and whipped on the bare back?

Answer. Yes, sir, right on the bare back.

By Mr. STEVENSON:

Question. Did any of them speak of leathern thongs?

Answer. No, sir; I have never heard of them.

Question. Mr. Wallace, who represents your district, resides in Spartanburg, does he not?

Answer. He lives in York, the adjoining county.

Question. Do you know him personally?

Answer. Yes, sir.

Question. He is a native of the State, is he not?

Answer. Yes, sir.

Question. In your description of the manner in which this whipping was done, do you wish to be understood as saying that each person of the gang struck but one blow?

Answer. As the matter was described to me, "number one" would strike one lick, "number two" would strike two, and so on, each striking the number of licks corresponding with the number by which he was designated.

WASHINGTON, D. C., June 7, 1871.

CHARLES DENNIS O'KEEFE sworn and examined.

By the CHAIRMAN:

Question. Where do you live?

Answer. In Fort Mills, York County, South Carolina.

Question. How long have you lived there?

Answer. Nineteen months previous to the 20th of March last.

Question. Where do you now live?

Answer. In New York.

Question. What caused you to leave on the 20th of March last?

Answer. I was in dread of the Ku-Klux. I was sleeping in the woods for about twenty-five nights previous; during that time I never slept in the house—never took my clothes off me.

Question. In what business had you been engaged?

Answer. I was with my uncle, Squire O'Conner, and was engaged as a deputy collector, under E. M. Rose, of Yorkville, in collecting State taxes. I was also an assistant marshal, under Mr. Johnson, for taking the census; and I was president and secretary of the Union League.

Question. Under what circumstances were you compelled to leave the State?

Answer. In October I was coming from Rockhill. At that time our Union League was doing its most powerful work, as it was drawing nigh to election day. About twenty minutes past four I got into the depot of the Charleston, Columbia and Augusta Railroad. I was in the office with Mr. Faulkner; and when I got out, two men—A. S. White (they call him Sidney White) and James Nivens—rushed upon me, threw me down upon a large barrel, and a pile of flour sacks. Nivens got on me, and began to beat me; and Sidney White kicked me, and kept all the time roaring out to Nivens to "Kill the God damned radical son of a bitch;" that if he did not kill me, he (White) would kill Nivens. I called on Tom Faulkner to come to my assistance; but Sidney White said that if he did, he would use him as they used me. I struggled for a long time. A passenger train eventually arrived, yet no person came to my assistance, though several persons were around. I succeeded in getting Nivens off of me, and immediately after I did so, White and he got at me again. I had a pistol in the pocket of my overcoat, and attempted to draw it. White saw my hand and prevented me. Then they commenced beating me again, and they called on some others to come and see how they were treating the damned radical son of a bitch; how they were fixing the president of the Union League. Those parties did not come, and eventually I succeeded in getting off, and getting into the back-yard of the depot. For this I cited them before the court in Yorkville. They traversed the case last January, and it was to be heard again in March. I received information that if I attempted to go to the sessions to prosecute, I would never reach there alive, and if I succeeded in prosecuting, I could not return home. Under those instructions I did not go there, but I wrote to Mr. Browly, the State prosecutor, to traverse the case or have it postponed until the next term.

Question. Had there been any cause of quarrel between you and these men who made this assault upon you?

Answer. Not one word in the world. I never had an angry word with any person there.

Question. Why do you speak of these parties as members of the Ku-Klux? Were they disguised?

Answer. No, sir; this was early in the evening—half-past 4 o'clock.

Question. Why did you say they were members of the Ku-Klux?

Answer. I would not pronounce them so distinctly; but I know they were in sympathy with them, from conversations I had frequently with them.

Question. Have you any knowledge of there being such an organization in that part of the State as the Ku-Klux?

Answer. I have never seen them, but from the number of outrages committed and known as the work of the Ku-Klux, I am perfectly satisfied that they have existed in that county.

Question. Do you know of such occurrences in that county as would demonstrate that an armed band of some description has been committing them?

Answer. Yes, sir.

Question. How recently?

Answer. Several weeks ago my uncle's place was attacked, and they burst into my room, and took out an old gun and broke it. They went in and inquired for me, and were told that I was not there. They then went to the roof of the house, where there is only an attic that is never used for anything; they searched the whole place, and failing to find me, they invited my uncle into the yard. His wife begged him off, he being an old man.

Question. Were you there at that time?

Answer. I was not there; I speak from information received by letter.

Question. From your knowledge of the sentiment of the community, are persons in that part of the county free to express their political opinions without incurring danger?

Answer. You mean republicans?

Question. Yes, sir; republicans.

Answer. No, sir; they might get into danger by inciting a row and getting the worst of it. It is not very easy for them to express their sentiments, for the chances are they would be in the minority, and that parties would mob them.

Question. Have there been instances of violence against others similar to those you speak of against yourself?

Answer. That is the only one I know of in my own immediate district. After this, at 8 o'clock in the morning, I was standing at the depot, waiting for the departure of the train; my cousin, a member of the lower house at Columbia, was going off. Just after the train departed, a fellow named Cobb came along, in company with a man named Forey, and he said, "I want to look at the God-damned radical son of a bitch." I turned around and said, "Do you mean me?" He told me I was not worth my room in hell on the 15th of August; and he abused me in the most violent way. He said he would cut the 4th of July over my nose. For this and other expressions, I had him bound over to keep the peace. I had him tried before Squire O'Connor and Squire Crook. He was fined \$10 and costs on that occasion, but he would not comply with the requirements of the law. He said he would be damned if any radical son of a bitch should punish him, or lay hands on him. Mr. O'Connor's officer would not attempt to arrest him. They were obliged to send warrants to the sheriff to go and arrest him. He had made threats that any radical son of a bitch who came to arrest him would be shot.

Question. Was any reason other than your political sentiments given for this assault upon you?

Answer. None in the world. Previous to my taking an active part in the League, no person, for a stranger, was better liked or admired than I was.

Question. You do not know of any other person assaulted for like causes in that county?

Answer. Not in that immediate district. The township is only fifty square miles.

Question. Were there other tax collectors there besides you?

Answer. Not in that township. Mr. Rose is the head treasurer, and, since the war, parties have to go to York. It was not deemed safe for the treasurer to go and collect the taxes in the different places, and parties have to go to York. A short time previous to my leaving, they had circulated a report that we of the League were going to attack Fort Mills and butcher the whole lot of them. On receiving this information, and by the advice of my friends, I went to Fort Mills to inquire into the circumstances. When I got there, they could not give me the author. There was no authority for the statement. I left there three or four days after that.

By Mr. STEVENSON:

Question. You speak of being notified to leave. How did you get notice?

Answer. I got no written notice.

Question. Why did you leave?

Answer. I was in dread; I had slept in the woods twenty-three or twenty-four nights. I came to Charlotte and registered at the hotel. Meeting a friend outside of the hotel, he asked me if I had registered at the hotel. I told him I had. He told me I would be fixed in Charlotte quicker than I had been at home. I went and had my name erased from the register. I went to a private place and slept.

Question. Who was this friend, a republican or democrat?

Answer. A republican route agent on the Charlotte, Augusta and Columbia Railroad.

Question. What made you sleep in the woods?

Answer. I was afraid to sleep in the house, for fear the Ku-Klux would attack the house.

Question. What evidence had you that the Ku-Klux were after you?

Answer. From the determination of the people to hurt me. One day, when I went to Fort Mills, Tom. Withers said, "Now they would see whether colored men or white men would rule the country." Doctor Kell said to me, "You are the only white man belonging to the League?" I said "Yes, I am the president." He said, "Those Leagues are creating all these disturbances, but they will have to clear out, or they will catch it."

Question. Were these men democrats?

Answer. Yes, sir.

Question. What reason had you to believe that there were Ku-Klux in other parts of the county?

Answer. From the several outrages committed—parties murdered by night in their homes.

Question. Do you know of any whippings?

Answer. Yes, sir; there were several whippings. A man who kept a store in Bullock street got, as I understood, seventy lashes of the buggy traces. He was taken out of the house, tied, and whipped.

Question. How far was that from where you live?

Answer. About thirty miles.

Question. What is his name?

Answer. I don't remember the name; he keeps a store and he advertises very freely in the Yorkville Inquirer; I have seen his name very frequently.

Question. How many members were there in the league you organized?

Answer. One hundred and ninety-six.

Question. Was that a majority of the voters of the township?

Answer. No, sir; it was not a majority of the voters. We would have been in the minority were it not for the white men who voted the republican ticket secretly.

Question. Were you in the majority?

Answer. We were in the majority, but the white people gave us the majority by voting secretly.

Question. How many white men voted in that way?

Answer. I myself knew three or four; and another man told me he knew seventeen or eighteen who had fixed up tickets in his own house. Ours were white tickets and the others a different color, but pretty much about the same size. They canceled the inside of the ticket and rolled it up again; and thus they could put it in the ticket-box without its being discovered that it was the opposite ticket.

Question. They pasted the republican ticket within the democratic ticket?

Answer. Yes, sir. Whilst taking the census I had plenty of opportunity to ascertain the feelings of parties towards the present Government. The poorer class, which are the majority, have felt perfectly confident that the Government we now live under was the best for the country.

Question. You mean the whites?

Answer. Yes, sir; the poorer class of whites. I was perfectly satisfied from the way they talked that when they came to vote we would have over one hundred white votes, but they all voted the democratic ticket, with the exceptions I have mentioned.

Question. You think they were intimidated?

Answer. I do not myself know that they were; but I know that parties were perfectly prepared to do so.

By Mr. VAN TRUMP:

Question. Do you mean to say that you had conversation with one hundred men who said they would vote the republican ticket?

Answer. I am perfectly satisfied that one hundred men told me they would vote the republican ticket, for they were so perfectly satisfied with the present Government. There were two thousand four hundred and fifty persons in the township, I think.

Question. Were all these one hundred and ninety men in the Union League black men?

Answer. They were all black men with the exception of myself and three others.

Question. Where were these one hundred white men that wanted to vote with you?

Answer. They did not all belong to our township; some were farming and some were working on farms for others.

Question. Were you president of the league?

Answer. Yes, sir.

Question. Who sent you to South Carolina for that purpose?

Answer. I was not sent for that purpose; I was living there some nineteen months.

Question. Where did you live prior to that?

Answer. In New York.

Question. What took you to that particular spot?

Answer. Mr. O'Connor, an uncle of mine, was residing there.

Question. How long has he lived there?

Answer. He has lived there the last eighteen or nineteen years. He was in Columbia at the time of the conflagration. There were several colored men who sometimes used to be with me those nights when I was sleeping in the woods; at other times we could not meet together.

By Mr. STEVENSON:

Question. Were the colored people under any apprehension from the Ku-Klux?

Answer. Yes, sir.

Question. Were they generally so?

Answer. Yes, sir. On the night of the raid in Chester there were some very responsible parties in that neighborhood who appeared to be the leaders of that raid. When the train stopped at Fort Mills everything was apparently quiet. But in about two minutes the whole hill was bristling with bayonets. This was at the time of the attack on Chester. They came into Charlotte, got a car and took a number of parties from Charlotte, and some from the other stations. They were going on to Chester to assist the democrats in their onslaught on Chester.

By Mr. POOL:

Question. You mean Charlotte, North Carolina?

Answer. Yes, sir.

Question. Chester is in South Carolina?

Answer. Yes, sir.

By Mr. STEVENSON:

Question. When was this raid?

Answer. In January, I think, or in the early part of February.

Question. There seemed to be coöperation between the two States?

Answer. Yes, sir. There were two gentlemen there by the name of White—the wealthiest men there. One was known as Captain White, the other as Colonel White. There are two other brothers who have no titles. The captain appeared to be the generalissimo of the whole thing. When he got there he asked if the colonel was there. The answer was “No.” He said he ought to be there.

By Mr. BLAIR:

Question. Did you hear this; were you there?

Answer. Yes, sir. He asked the engine driver if he would stop the car for some time until he could get his gun. The driver said he was five minutes behind time and could not. His brother David came, and he asked if he had his gun. He said “Yes.” Young Cobb was there. There were those two young Whites, A. B. Banks, a teacher, one of the Hotchkisses, and a young man working in a shoemaker’s shop. Captain White was named Sam, and his brother David.

By Mr. VAN TRUMP:

Question. What is the place of your nativity?

Answer. Ireland.

Question. How long since you came from there?

Answer. Eight years next month.

By Mr. STEVENSON:

Question. Did all those men have arms?

Answer. Yes, sir.

Question. What kind of arms?

Answer. Pistols, rifles, and shot-guns.

Question. What kind of rifles?

Answer. Ordinary military rifles.

Question. You do not mean repeating rifles?

Answer. No, sir. I think White’s was a repeating rifle.

Question. Which of the White’s?

Answer. Captain White.

Question. Where did Captain and Colonel White get those titles?

Answer. They were in the confederate service.

By Mr. POOL:

Question. How did you know that persons from Charlotte, North Carolina, went to Chester on the occasion you speak of?

Answer. I did not know any from North Carolina who went, but there were about sixty or seventy in the car when it stopped. There was an Indian who was under the influence of liquor. Captain White said, “Come on, boys, this is a free ride.” Captain White told this Indian that if he did not come he would be damned if he would not shoot him, and he forced the Indian on to the car and took him to Chester.

Question. How far is Chester from Charlotte?

Answer. I think about forty-five or fifty miles.

Question. That car had come on from Charlotte?

Answer. Yes, sir. From the terminus of the Charlotte, Columbia, and Augusta Railroad.

Question. How did you learn that Charlotte men were on the train?

Answer. From reports, and also because there was no intermediate station, except one they call Morris Turnout, on the boundary between North and South Carolina.

Question. How far is Chester from the North Carolina line?

Answer. I think, perhaps, about thirty-five or forty miles.

Question. There is no intermediate station between the North Carolina line and Chester?

Answer. Fort Mills is the first station on the road in South Carolina.

Question. Where did this incident occur?

Answer. At Fort Mills; but they were on their way to Chester.

Question. How far is Fort Mills from the North Carolina line?

Answer. Seven miles.

By Mr. STEVENSON:

Question. You think there were seventy-odd men?

Answer. I would say between fifty and seventy.

Question. Were all the party men?

Answer. All men.

Question. Was this a special train or a regular train?

Answer. There was a regular train arriving at Fort Mills at 9 o'clock; it is only lately running.

Question. Was this a regular train?

Answer. This was a night train which runs direct from Charlotte, leaving there at 8 o'clock, and then going on as far as Columbia. This was a regular train, arriving at Fort Mills at 9 o'clock.

Question. Did you see these parties have any arms?

Answer. Yes, sir.

Question. Were they generally armed?

Answer. They appeared to be generally armed.

Question. How?

Answer. Those that I saw go into the car from Fort Mills all had arms. I heard some one ask, were there arms? and the reply was, "Come on; there are plenty of arms." I saw them discharge some fifteen or sixteen pistols; it may have been more, but it was very little less.

Question. Were the men already on the train armed?

Answer. When the train pulled up at Fort Mills there were fifty or seventy men in the train.

Question. Were they armed?

Answer. I did not see that those men were armed; but I saw the shots fired from the car windows afterwards.

Question. And you heard a voice coming from the car to the men at Fort Mills, saying, "Come on; there are plenty of arms."

Answer. Yes, sir. It would seem the question might have been asked, "Are there arms?" and the answer was that there were plenty of arms.

Question. Was that the day before the Chester raid?

Answer. It was on the night of the Chester raid. It ended that night.

Question. Does that railroad run to Chester?

Answer. Yes, sir. While the excitement was existing in Chester, it would appear, as I was informed, that the Chester people telegraphed to the North Carolina people, who collected and went to their assistance.

WASHINGTON, D. C., June 8, 1871.

JOHN J. NEASON sworn and examined.

By the CHAIRMAN:

Question. Do you live in South Carolina?

Answer. Yes, sir; in Sumter County.

Question. How long have you lived there?

Answer. I have been living there since 1868.

Question. Where did you live before you went to South Carolina?

Answer. In Savannah, Georgia.

Question. State what business you are now engaged in in Sumter County, and what induced you to go there.

Answer. I married there; I have opened a commission business there, and am also engaged in planting.

Question. Have you bought any real estate there?

Answer. Yes, sir; a plantation.

Question. How much did you invest in your plantation?

Answer. My plantation cost me about \$17,000; the plantation and the improvements I made on it after I made the purchase.

Question. Go on now and state whether, at any time, you have been visited by persons in disguise; and, if so, state the reasons they gave for visiting you, and what they did to you.

Answer. In October, 1870, the night Mr. Robertson's store was burned, they came to my house before they went to him.

Question. Who came?

Answer. The Ku-Klux—men in disguise. They asked me first, "Are you engaged in the seed-cotton traffic?"

Question. Seed-cotton traffic; what is that?

Answer. The purchase of cotton in the seed, not ginned, with the seed in it. I replied that I was. "Well, will you continue or discontinue it?" I was asked. I replied, "Gentlemen, is this a general thing?" The answer was, "Well, we will make it a general thing." I said, "Very well, I am with you; I will stop it." And from that time up to the time when I came away I did not touch a pound of seed-cotton. They came to me again in March of this year.

Question. What was the objection to your purchasing seed-cotton?

Answer. The objection was that a negro could get over the fence and pick a bagful of cotton, carry it to a country store and sell it, and in that way buy enough to support him in the channel of the fence for a year. They came to me again in March of this year.

Question. You ceased the traffic in seed-cotton in consequence of that visit?

Answer. I did. They came to me again in March of this year, about half past 12 on a Saturday night.

Question. How many?

Answer. I should think there were at least thirty or forty of them. They had out-videttes and a guard with their horses, and the party that came to me came disguised, armed with double-barreled shot guns.

Question. Were they disguised?

Answer. Yes, sir.

Question. In what manner?

Answer. Some of them had calico dresses; others had on homespun dresses, paper hats, &c.; every man was disguised.

Question. Did they have masks on their faces?

Answer. Yes, sir. They came to me at that time and called me out. I came out in my night clothes; I had been in bed. I asked them if they would allow me time to put on my clothes, and they said yes. I put on my pantaloons and coat and came out. They said, "Tell your wife we do not intend to harm you." My house is about fifty yards from the road. They walked me on to my store, and when they got to the store I said, "Do you mean to burn my store? If so, I have some papers there that are very valuable to me, and are of no value to any one else, which I would like to take out." The building and the stuff that was in it were insured. They said, "We don't intend to burn your building." I asked them, "What do you intend to do?" The answer was, "To whip you." I said, "For what? Am I guilty of any crime?" The reply was, "No; but you keep a country store, and you allow republicans to hold their meetings and their barbecues here, and you have been the manager of elections for the last five or six years; and we intend to stop it. We give you ten days to close up your business, and then we will give you five days more in which to leave the country." Eight days after that I was summoned here as a witness in the Bowen case. Since then my business has been closed, and I have not been at home.

Question. Did they whip you?

Answer. No, sir; they did not. They let me off. I begged out of it, and they did not put the lash on me. But they gave me notice to close up my business in ten days and leave the country in five days afterward. I had built a school-house on my place for the benefit of the colored children; nothing more than a shelter; they would not allow it to stay on the place, and burned it down.

Question. Was that also alleged as one excuse against you when they visited you.

Answer. It was against me, of course.

Question. Did they so state?

Answer. Yes, sir.

Question. What else did they tell you was your offense?

Answer. The only offense was that I allowed the republican party to hold their meetings there, and that I was in cahoot with them; that I was a republican, and they wanted me out of the country.

Question. What had been your party politics before you went there?

Answer. I went into the army quite young.

By Mr. VAN TRUMP:

Question. Which army?

Answer. The confederate army. I served under General P. M. B. Young and General M. C. Butler. I lost a father and two brothers in the war, and I received a severe wound myself.

By the CHAIRMAN:

Question. Causing the scar upon your face? [Referring to a long scar upon the cheek of the witness.]

Answer. Yes, sir; I received that wound at Ream's Station. I never meddled with politics. I established myself there at Sumter at the request of my wife and my wife's parents after I married, and tried to make an honest living there. But now I have to break up and go away from there.

Question. In what manner was your business done the first year after you went there?

Answer. I engaged in merchandise in Sumter County under the firm name of Neason & Spann.

Question. Did you extend credit to whites and colored men?

Answer. Yes, sir.

Question. How?

Answer. I took liens from the colored people on their crops; I gave the colored people credit for from \$15 to \$150; and to the white people I gave credit from \$150 to \$200. The colored people all paid me; the whites sent me bankrupt notices. That cramped me so that I had to get out from there.

Question. You say that the whites sent you bankrupt notices, while the colored people paid you?

Answer. Yes, sir.

Question. Do you mean that statement to be taken without any qualification?

Answer. Some of the whites paid me a small payment; but as a general thing I received bankrupt notices instead of payments. Cotton was down to from 11 to 7 cents per pound. As a general thing the crops sold for 11 cents, and it got down as low as 7 cents.

Question. Had you any difficulty with the people there on account of that fact the next year?

Answer. If I would extend credit again I was all right, but I could not do it. In the first place, I got my supplies from Baltimore, New York, and other places, and I had to make my credit good; and I could not give credit to these parties again.

Question. You mean to those who had not paid you?

Answer. Yes, sir.

Question. Was that fact given as a reason for your being obnoxious to the community.

Answer. Yes, sir.

Question. That you extended credit to the negroes who paid you, and would not give it to the whites, who did not pay you?

Answer. Yes, sir.

Question. Do you feel at liberty now to go back to that county and resume your business, and take charge of your property?

Answer. I do not without some protection is given me. My great difficulty is this: My stock is there and my place is there, and nobody is able to buy me out. In the first place, people, as a general thing, are bankrupt; you cannot find a man who wants to buy an acre of ground, and my all is invested there.

Question. Have you taken any active part in politics yourself?

Answer. No, sir; only to act as a manager of elections. When the counties were divided into townships, I was put forward as a candidate for public surveyor, and elected by the republican party. But the township law was shortly afterwards abolished.

Question. What is the proportion of colored population in the portion of Sumter County in which you live, or in the county itself?

Answer. You can find a hundred blacks to one white person,

Question. How many persons were there in disguise upon the occasion of their first visit to you?

Answer. The first time they came they behaved very nicely; they surrounded my place with a sort of half-moon circle, and I judge there were about forty of them. They had a detachment with their horses, and a vidette thrown out on each side of the road. There were at least forty present.

Question. Were they all armed?

Answer. They were all armed with double-barreled shot-guns, except the spokesman, who had a revolver.

By Mr. POOL:

Question. Do you say there are a hundred blacks to one white person there?

Answer. Yes, sir, in my settlement. There is one lady who lives adjoining me, with about 30,000 acres of land, and she has rented it all out to negroes.

By the CHAIRMAN:

Question. You do not apply that statement to the whole county?

Answer. No, sir; of course not.

Question. Can you tell how it is in regard to the whole county?

Answer. I really cannot tell.

Question. Upon their second visit to you, how many persons were there?

Answer. At least twenty-five or thirty.

Question. All armed?

Answer. Yes, sir.

Question. In what manner?

Answer. With double-barreled shot-guns.

Question. Did more than one of them speak to you?

Answer. One man did all the speaking. When they took me out and told me they were going to whip me, I said, "Gentlemen, if there is any honor about this party, I beg you, in the name of God, not to put the lash on my back; you can cock your

guns and discharge their contents in my breast." They said, "If you say nothing about it nobody will know it." I replied, "I will know it." I begged off in that way, and at last they let me off.

Question. Did they strip you?

Answer. They had taken off my coat; I had my night-clothes on under my coat.

Question. Were their motions governed by military command?

Answer. Yes, sir; everything was done by signals and signs; and but one man was allowed to say a word; he was the spokesman of the party. I lived exactly ten miles from Sumter, between Sumter and Bishopville.

Question. Do you know of any other occurrences of that character in that neighborhood?

Answer. Yes, sir; an old gentleman in my neighborhood of the name of Davy Andrews, sixty-five or seventy years of age, who had served in the Union army, and at the close of the war had gone there and bought a small place; he was the father of six children, one boy and five girls. He established himself there and his boy was in Charleston. He was doing very well there in business, and they have closed him up. About four nights ago they took a man out and whipped him, about a mile from where I live, and took out a woman and tarred and feathered her.

Question. How do you now that fact?

Answer. I have a letter from my wife to that effect. The woman who was tarred and feathered was a woman of low character, and kept a sort of low house.

Question. When did they visit you the last time?

Answer. As near as I can remember it was between the 1st and 5th of April.

Question. Did they visit you three times?

Answer. Yes, sir.

Question. Did they state their purpose?

Answer. It was to put down all country stores and drive out all republicans from the country.

Question. Why did they regard the country stores as so objectionable?

Answer. Because the republican party held their meetings there and their barbecues.

By Mr. VAN TRUMP:

Question. Were all the country stores in your county used for that purpose?

Answer. Yes, sir; as a general thing country stores are the headquarters of the township, and of course there public meetings are held, and all public gatherings, &c., and the post office is there.

Question. Were all the country stores through that region of country in the hands of republicans?

Answer. No, sir; but the only stores that had any interference made with them were stores kept by republicans; the others were not interrupted at all. I think if you look at the map you will find near Sumter a little town called Mechanicsville, about four miles from where I live, and another place called Manningsville, or Mansville, I think it is. The stores at those places were not interrupted.

By the CHAIRMAN:

Question. Those stores were kept by democrats?

Answer. Yes, sir; and the daughter of the man who keeps store at Mansville is the postmistress there.

Question. How old are you?

Answer. I am twenty-seven years of age.

Question. You say you went from Georgia to South Carolina?

Answer. Yes, sir.

Question. Are you a native of Georgia?

Answer. Yes, sir; of Savannah, Georgia.

By Mr. BLAIR:

Question. These country stores are places generally where they exchange goods for produce?

Answer. Yes, sir.

Question. They buy seed-cotton there?

Answer. They had been buying up to the time I mention, in November, 1870.

Question. It usually has been the custom at these stores to buy seed-cotton from negroes?

Answer. Yes, sir; for instance, we took a lien on a man's crop, the lien amounting to, perhaps, twenty-five or thirty dollars. The man would not make a bag of ginned cotton, but he might make seven or eight hundred pounds of seed-cotton. We took the seed-cotton in payment, and bought it from whites as well as blacks.

Question. This practice led to the difficulty of negroes jumping into a man's cotton field at night, or at any other time, filling their bags with seed-cotton, and disposing of it to these stores?

Answer. It led to pilfering; yes, sir.

Question. And there was no way of guarding against it, except by measures of this kind?

Answer. No, sir; that is just exactly as it stood.

Question. There was no possible means of guarding against depredations and small thieving?

Answer. No, sir. In the first place, you cannot object to buying cotton of a negro, for this reason; every darkey had a small patch of his own. Almost every farmer who employs hands takes them on for shares or wages. If he gives them wages he allows them an acre or two of ground each, which they cultivate in cotton, corn, and potatoes. Now, we all know that the darkeys grow cotton for themselves, and when they come to the stores we cannot object to taking their cotton, for it is as good as anybody's else.

Question. It leads to the difficulty that a darkey generally gets more cotton from half an acre—

Answer. Than anybody else from two acres.

By Mr. VAN TRUMP:

Question. Was that a general thing among the negroes?

Answer. Yes, sir; but that is done away with now, and has been for the last year. I do not believe there is a store in my section of country that touches a pound of seed-cotton.

By Mr. STEVENSON:

Question. How do you buy it now?

Answer. We buy it ginned, in bales.

Question. And the negroes usually have their cotton ginned at their employers' gin?

Answer. Yes, sir. As a general thing they go altogether; where they have four or five hundred pounds of seed-cotton each, they club together, have it ginned, make a bale of it, and divide the money afterward.

Question. Did you see any instrument of scourging when they visited you the last time?

Answer. No, sir, I did not.

Question. Did you ever hear from any one how they scourged?

Answer. I heard a great deal, of course, but nothing I could swear to positively.

Question. Can you, from your information, tell us how it is done?

Answer. We had a revival down there, and I joined the Methodist church. Going home one night from church, between 10 and 11 o'clock, I saw them encamped on one side of a by-road running through a plantation. They met there, and as they saw anybody riding by they would whistle.

Question. Who met there, the Ku-Klux?

Answer. Yes, sir. My wife and my wife's cousin were in the buggy together, and I rode along behind on a mule. They whistled as I went by, and I remarked, "Not for Joe," and rode on. Before I got to the end of the road, about a half a mile from there, they overtook me, and took me back to where they were camped, and asked me if I wanted to join. I said, "No, no; I do not propose to get out of my bed on cold nights and go around for any such fun," and they let me off.

Question. How many were there?

Answer. At that time only about ten.

Question. I asked you if you had any knowledge of the manner in which they scourged people?

Answer. I cannot exactly tell you.

Question. Did you know any of those men whom you saw there?

Answer. I think I did.

Question. Were they in disguise?

Answer. Yes, sir; in disguise.

Question. It would be conjecture only if you should give their names?

Answer. That is all.

Question. Why is it that you suppose you knew some of them?

Answer. A glove was picked up the next morning by a man I had working with me. I took that to be the glove of a young man whom I had always considered a friend. I went to that young man next day and asked him about it. He said that he had been sick in bed all that night and had had three chills. My reply to him was, that I was between twenty-six and twenty-seven years of age, and I never heard in my life of a man having three chills in one night. I gave him his glove and told him to wear it.

Question. Did he take it?

Answer. He took it.

Question. Do you understand how numerous this organization is?

Answer. I do not, indeed.

Question. From what you said you saw I should infer that nearly all the white men in the neighborhood belonged to it?

Answer. I think that every white man in the neighborhood is connected with it; that is my honest belief.

Question. Did you hear whether it extended to other regions?

Answer. Yes, sir; the party that came to me last, inquired of me the road to Columbia; I told them that it was very strange for a party like that to be out without a map of the country; they then said they would be back in eight weeks, and expected to meet a party there from Georgia on the other side of the river.

Question. Is Columbia down toward Georgia from there?

Answer. No, sir; Columbia is on the Congaree River; they wanted to know the way to Columbia; they were going to Columbia, and from there on to the Savannah River.

Question. Have you heard of any similar operations in other counties?

Answer. Yes, sir.

Question. What counties?

Answer. Spartanburg, Chester, and Camden, in Kershaw County; at Manning, in Sumter County, they drove out a man by the name of Captain Bigger, and one by the name of Coleman; Bigger was in charge of the Freedmen's Bureau after the close of the war.

Question. Did you hear of any operations of such an organization down toward the coast from where you live?

Answer. No, sir; I did not.

Question. Nor toward the Georgia line?

Answer. No, sir; I think Sumter is as low down as I have heard of it.

By the CHAIRMAN:

Question. Have any persons been tried in Sumter County for these offenses?

Answer. Yes, sir; after they burned the store of Mr. Robertson, the brother of Senator Robertson here, he had some twenty-five or thirty of them arrested; the result was that there was no verdict against them.

Question. They were acquitted?

Answer. Yes, sir.

By Mr. VAN TRUMP:

Question. Was there any proof against them?

Answer. He thought he knew two of them, and swore to it; but they outswore him, and brought women and children to swear that they were all at home and had not been out that night.

By the CHAIRMAN:

Question. Have any persons been convicted for any of these offenses?

Answer. Not in my county.

Question. What effect have these occurrences had upon the sense of security felt by the colored people, and the white republicans?

Answer. They all want to get away from there as quickly as they can; no man can feel safe there. When a man lies down at night, if he hears his dog bark he jumps up and hunts for the bottom part of his house, for he does not know what is coming. You cannot lie down there at night and feel safe.

Question. What effect does this have upon the elections, or have there been any elections there since these things took place?

Answer. Not since the last time I saw them; the last election was in November.

Question. Do I understand you to say that you were visited three times?

Answer. Yes, sir.

Question. Have you sufficient information as to the persons who were engaged in either of these expeditions against you to be able to make affidavit in order to bring them to justice?

Answer. No, sir; but to the best of my knowledge, I believe I could tell who some of them were; but I could not swear positively.

Question. Give us the names of those you believe were in that party.

Answer. Mose McCloud, John Brown; there are two Browns, one we call John Lem, and the other John Joe Brown; they are sons of two brothers.

Question. Where do they live?

Answer. Close to me, in Sumter County. Then there were William Frazier, E. Holman, R. L. Harriot, jr., and C. Williamson.

Question. What reason have you for supposing that those persons were in either of those parties who visited you?

Answer. They are the young bloods of the county in which I live, and from the manner in which they act and fly around there I believe they belong to the party.

By Mr. VAN TRUMP:

Question. You say there was but one who spoke upon these occasions?

Answer. But one.

Question. Did you know him ?

Answer. No, sir.

Question. You did not recognize his voice ?

Answer. No, sir.

Question. Then how do you know the others ?

Answer. I think they were in the party ?

By the CHAIRMAN :

Question. Did you identify them at those times ?

Answer. I thought I recognized them by their manner. After they had consented to let me off without whipping me, they commenced to dance around me, and poke their fingers at me this way and the other, and make all sorts of signs. I thought then I knew some of them, but I was afraid to say anything.

By Mr. VAN TRUMP :

Question. You say they were disguised in loose robes ?

Answer. Yes, sir ; some in calico and some in homespun.

Question. You could not recognize them then ?

Answer. I recognized them from the manner in which they acted ; they are the only young men in my section of the country.

Question. That is a reason, then ; because they are the only young men there ?

Answer. Yes, sir.

Question. You say but one man spoke to you, the one who was at the head of the party ?

Answer. He did all the speaking.

By Mr. STEVENSON :

Question. Are these young men of position ?

Answer. No, sir ; they are young farmers there.

Question. I do not mean men of wealth, but are they men of standing in the neighborhood ?

Answer. Yes, sir ; they are the young bloods of the country.

Question. What do you mean by that ?

Answer. Young gentlemen there.

Question. Sons of the old planters in the neighborhood ?

Answer. Yes, sir.

Question. Did you promise them that you would leave there ?

Answer. I promised to do this : if they made it a general thing, I was with them.

Question. I was not speaking of the first visit to you, but in reference to your final promise ?

Answer. I am alluding to the final promise ; that if they closed all the country stores I would close mine, and then if they requested me to leave I would leave.

Question. It was only by making that promise that you escaped a whipping ?

Answer. Yes, sir.

By the CHAIRMAN :

Question. Your store is now closed ?

Answer. It has been closed since I left.

Question. What are you doing with your plantation ?

Answer. That is still going on ; I am making a crop there this year ; a cousin of my wife is in charge of my business there.

Question. Do you feel that you can return there now in safety and take charge of your plantation ?

Answer. No, sir ; I do not.

By Mr. POOL :

Question. You say a store was burned there ; whose store was it ?

Answer. The store of David G. Robertson, brother of Senator Robertson.

Question. How far from your house ?

Answer. About five miles.

Question. Was it burned the first night they visited you ?

Answer. Yes, sir.

Question. You say there was a prosecution by Mr. Robertson against them for burning his store.

Answer. Yes, sir.

Question. And they all proved an alibi ?

Answer. Yes, sir.

Question. How many were arrested ?

Answer. About thirty or forty ; I believe almost all the young men of the country there.

Question. Did Mr. Robertson swear positively to any of them?

Answer. He swore positively to two of them?

Question. Did he see them when they burned his store?

Answer. Yes, sir; they took him off about twenty-five yards from the store before they set the torch to it. He had a mill there, and a keg of powder in the mill; they took the keg of powder from the mill and put it in the water, and then they set him down there to see his store burned.

Question. Is Mr. Robertson a republican?

Answer. Yes, sir.

Question. You have said that the people feel insecure there when they go to bed at night. Do you mean by that all the people or only those of one party?

Answer. Those of the republican party.

Question. Do the democrats feel any insecurity?

Answer. I never heard them say.

Question. Have there been frequent scourgings in that county?

Answer. I have been away from there for the last two months.

Question. Have there been within the last year?

Answer. Yes, sir; of course there have.

Question. Have many persons been whipped?

Answer. Yes, sir.

Question. How many do you suppose have been whipped in the county during the last year?

Answer. I do not know. Mr. Bigger, living at Manning, was taken out and tied to a tree and ordered to leave there, and he has left there.

Question. Was he whipped?

Answer. No, sir; Mr. Coleman, a partner of his, was served in the same manner. The only one whipped in the county——

By Mr. VAN TRUMP:

Question. I thought you said that you had heard of a great number of persons being scourged; did you understand what the Senator meant when he said "scourged?"

Answer. I understand what the word means; but I did not understand that word to be used. The only party I know of being whipped is the one party I have mentioned.

By Mr. STEVENSON:

Question. Have any colored people been whipped?

Answer. No, sir.

By Mr. POOL:

Question. Have any been killed?

Answer. Not in my county.

By the CHAIRMAN:

Question. When I asked you to give me the names of those persons who were in the party who visited you, I wanted you to give me the names only of those you could positively identify.

Answer. I cannot speak positively as to any of their names; I have only my suspicions. But some of the same parties I have mentioned were arrested on the complaint of Mr. Robertson.

WASHINGTON, D. C., June 10, 1871.

D. H. CHAMBERLAIN sworn and examined.

By the CHAIRMAN:

Question. What official position do you hold in South Carolina?

Answer. I am the attorney general of the State.

Question. How long have you been a resident of the State?

Answer. I have been a resident there since December, 1865.

Question. Please go on and state to the committee the knowledge you have acquired, from your official position, as to the efficiency with which the laws are executed throughout the State of South Carolina, and the protection afforded to life and property in the State. Make your statement in general terms.

Answer. The enforcement of the law has, from time to time, been very much interrupted and disturbed from special causes; lately by what are popularly known as Ku-Klux operations. There have been a great many outrages committed, and a great many homicides, and a great many whippings. I speak now, of course, of what I have heard; I have never seen any outrages committed myself; I am simply stating what I believe to be the fact. Those outrages have been confined, mainly, to certain por-

tions of the State—what we call the up-country, embracing about ten counties lying north and west of Columbia, the capital of the State. Those operations seem to be carried on by means of an organization; whether it is a general organization, one that embraces all those counties, or whether it is a special organization for each occasion, I am not able to say. My impression is that its movements are general—that they are directed from some central source of authority. The mode in which their operations are conducted, and the results which are accomplished by them, indicate that to me. As I have said, there have been committed a great many homicides, authentically so reported to the State authorities. I believe no information has yet been obtained as to any of the individuals who are engaged in these violations of law, except in one instance. Recently, when one of these operations was being conducted at Newberry Court-House, one of the band or party was wounded; that is, one of the masked men in the party, and, for some reason or other, he was not carried away by his comrades, as has been the case in other instances. He was afterward identified, and arrested, and I believe was put in jail temporarily. He was released upon bail, and then removed to the house of a friend, being badly wounded. He was killed while at the house of that friend, as we supposed. The information that we had at Columbia gave us no doubt that he was killed; but I have since heard a rumor that it is still thought he was spirited away and not killed. How that may be I have no means of knowing. There was published in our papers the testimony and finding of a coroner's jury, which I supposed to be genuine. There was published in the county paper, the Edgefield Advertiser, and in the Newberry Herald, accounts, which I supposed must have been genuine, of the fact that an inquest was held over the body, and the testimony therein published as actually given on the occasion.

By Mr. VAN TRUMP:

Question. It is only a rumor that he has been spirited away?

Answer. Yes, sir; I myself met, a few days before I left Columbia, the county clerk of Edgefield County. Speaking to him of this man Faulkner, I said, "I hear he was buried at Edgefield." He said, "Yes, he was buried at Edgefield, and there was an immense funeral there." He also said that he was buried in the churchyard of the Episcopal church, at Edgefield Court-House; Trinity-church, I think, was the name of it. Whether he spoke from actual knowledge, I do not know.

By the CHAIRMAN:

Question. In what part of the State are these offenses committed which you attribute to the influence of this organization?

Answer. Notably in Spartanburg, Newberry, Union, and York Counties; those are the principal counties that have been the scenes of these disturbances. But they have extended into Laurens, Chester, and Lancaster Counties; and I do not know but there may have been an instance or two in some other counties. The worst instance of outrage was in Union County, some time last winter; I think in the month of February. But I think the most general and the most numerous whippings have occurred in the county of Spartanburg.

Question. Have there been any convictions for these offenses in the State, so far as your information goes; offenses committed by these organized bands?

Answer. No, sir, no convictions, and no arrests, except in the case of this wounded Ku-Klux.

Question. With the exception of those portions of the State which you have indicated, are the laws executed, and the rights of persons protected in the courts throughout the State, generally?

Answer. Yes, sir; I think so.

Question. Does your system of criminal law require the preservation of any records or reports which would enable you to give the statistics of crime in the State; the number of offenses indicted and tried, and the character of the offenses?

Answer. No, sir; the State is divided into judicial circuits; there is a solicitor for each circuit, who is entirely independent of me. My duties are connected with the State government at the capital, with the argument of causes in the supreme court, and the appearance in capital cases when I deem it necessary. It is very seldom that I do go away from the capital.

Question. Has this subject of these organized bands been brought to the attention of the State government?

Answer. Yes, sir.

Question. And your attention as a public officer has been called to them?

Answer. Yes, sir.

By Mr. VAN TRUMP:

Question. You say you went to South Carolina in 1865?

Answer. Yes, sir.

Question. How long after the termination of the war; what part of the year?

Answer. I went in December, 1865.

Question. From where did you go?

Answer. From Massachusetts. I had been in the Union army during the war. I settled at Charleston in December, 1865, and remained there, and my residence is there now, although I have to be at the capital of the State most of the time.

By Mr. STEVENSON:

Question. You had read law before you went to South Carolina?

Answer. Yes, sir.

Question. Where?

Answer. At the Cambridge law school.

Question. When did it first come to your knowledge that this organization existed in the State of South Carolina?

Answer. It would be difficult to say. My conviction that there is such an organization has grown up very gradually. Until last winter, in February and March, my impression was that these movements were sporadic—that they sprung up from local causes. But since then, it has seemed to me that there was a broader organization than I had supposed; I should say since February or March, about the time of the affair at Union; I cannot fix the date exactly.

Question. Had you any knowledge of the fact that there were acts of violence and disorders in that State about the time of the election in 1868?

Answer. Yes, sir.

Question. Had you any information of the sending of arms at that time into that State?

Answer. No, sir; I do not remember. You mean, of course, from outside of the State.

Question. Yes, sir.

Answer. O, I remember that a great many arms were purchased by private individuals, if you refer to that. I know that at the time, during the canvass, there was considerable excitement when it was understood that the democrats, as we call them, were arming themselves with Winchester and Henry rifles, or something of the kind.

Question. Repeating rifles?

Answer. Yes, sir.

Question. Were you then acting as attorney general?

Answer. Yes, sir; I have been acting as such since July, 1868.

By Mr. BLAIR:

Question. Did you have any actual knowledge of the fact that the democrats were then arming?

Answer. No, sir.

Question. Then you make this statement as a rumor merely?

Answer. Well, yes, sir; I should use, perhaps, a little stronger term than rumor. I heard it so often that it came to be a belief with me, but it was hearsay. I heard that one firm in Columbia, whose name I now recollect, Hope Brothers, shipped a great many arms into the up country—boxes of arms; but of that I have no personal knowledge. There were so many facts stated about it, or what purported to be facts, that I believed it.

By Mr. STEVENSON:

Question. It was the common report at that time?

Answer. Yes, sir; that is all.

By Mr. BLAIR:

Question. Was it the common report that those arms all went into the hands of democrats?

Answer. As I heard it, it was understood that those arms were imported into the State upon the order of individuals. I do not know but a republican might have had his order filled, but the belief was that they were principally ordered by democrats.

By Mr. STEVENSON:

Question. You had no knowledge of any general arming among the republicans at that time?

Answer. No, sir.

Question. You were a republican, then, were you not?

Answer. Yes, sir.

By Mr. BLAIR:

Question. Did not the republicans have arms?

Answer. O, yes.

By Mr. VAN TRUMP:

Question. Did not the negroes have arms?

Answer. Yes, sir; it is very common for people to have their shot-guns—to have some kind of arms. I suppose that in this instance people thought that there was an un-

sually large number brought in at a particular time, and that they were not for sport ing purposes. They were repeating rifles.

Question. Have you been a politician for any part of your life ?

Answer. No, sir ; I do not think I have ever been a politician.

Question. Have you never heard a thousand rumors during an election that had no foundation in fact ?

Answer. Yes, sir ; many of them.

Question. Got up for excitement merely ?

Answer. Yes, sir.

By Mr. STEVENSON :

Question. Is there any improved state of feeling in those parts of South Carolina to which you have alluded, where troubles have existed ; has there been any recent improvement there since the act of Congress was passed, called the enforcement act ?

Answer. Yes, sir ; I think there has been a more quiet state of things since. I think there is now more quiet than there was in February and March.

Question. To what do you attribute the change ?

Answer. I have conversed recently with two country editors, who deplored this state of affairs, and they gave me as their opinion what I had thought of before, that it was really because it was now the busy season. As one of them said, "People cannot work all day and ride all night ; neither can their animals ; it is too busy a time of the year for these things to be kept up as vigorously as they were in the winter." I think myself that is the great cause of the change. Of course I cannot say how much they may be deterred by fear of the enforcement of the Ku-Klux bill.

By Mr. POOL :

Question. You mean they are cultivating their crops now ?

Answer. Yes, sir.

By Mr. STEVENSON :

Question. When is the idle season there ?

Answer. It comes twice in the year—after the crop is laid by, as it is called, from the middle of July to about the 1st of September ; then again from about the 1st of January to the 1st of March ; these are the specially idle times.

Question. Have you heard from Spartanburg County recently ?

Answer. Yes, sir ; I have. I recollect to have seen one or two parties from there within a couple of weeks.

Question. Since the 4th of May ?

Answer. Yes, sir ; since the 4th of May.

Question. Did you hear of an outrage committed there on the 4th of May ?

Answer. I cannot tell merely by the date. Some circumstance might recall it to my mind, and would, if I had heard of it.

Question. I refer to the case of an attack made on the house of Wallace Fowler.

Answer. I remember the name, now that you mention it, and I might recall the circumstances if they were mentioned to me ; but I am not able to state them now. I just remember the name, from having seen it in the papers.

Question. You do not, then, attribute the favorable change which has taken place there entirely to the act of Congress and the proceedings taken by the President to suppress violence ?

Answer. No, sir ; I think there are other causes which have been more efficient. I do not think that those parties have any particular fear of being convicted, even if they are arrested ; that is my impression.

Question. Why not ?

Answer. I think that they rely upon finding those upon the jury who would not agree to a conviction.

Question. Is there any difficulty in producing evidence ?

Answer. Yes, sir, that too ; but I do not think the evidence would make so much difference. I think perhaps I ought to state why I say that, for I do not like to exaggerate, because I think exaggeration has done a great deal of harm already, and I do not like to indulge in it. Last winter, in the United States district court at Columbia, we had some cases where parties had been arrested for an open, not for a concealed, violation of the law—for an open riot at Laurens Court-House on the day following the election. We had several parties brought before the grand jury of the United States court. The evidence, as it seemed to me—I heard a great part of it, and the witnesses who went before the grand jury also related to me what their testimony was ; I was interested to know how much testimony there was before the grand jury—it seemed to me that the evidence was more than sufficient to have justified the finding of bills of indictment. No bills of indictment were found, and I learned afterward from members of the grand jury that their impression was that no amount of evidence would have induced that grand jury to have found bills of indictment.

By Mr. VAN TRUMP :

Question. From anything they said to you ?

Answer. No, sir.

Question. Upon what did you base your opinion ?

Answer. It was not my opinion ; I said that members of the grand jury told me that it was their opinion that no amount of evidence would have induced that grand jury to have found a bill.

Question. And upon that you base your opinion ?

Answer. My opinion was based upon knowing what was the evidence before the grand jury. I think that in ordinary cases bills of indictment would have been found on that evidence.

By Mr. STEVENSON :

Question. You say that members of the grand jury told you that in their opinion no amount of evidence would have induced that grand jury to have found bills ?

Answer. Yes, sir.

By Mr. VAN TRUMP :

Question. I thought you said that one member told you so ?

Answer. Two or three ; more than one. However, I had in my mind at the time the foreman of the grand jury ; but two or three members made similar statements to me. That is one case. In addition to that, all my information, with reference to the manner in which these things are done, indicates that they expect immunity from civil conviction.

By Mr. STEVENSON :

Question. You mean civil in contradistinction to military ?

Answer. Yes, sir.

Question. How do you suppose those persons can be reached ?

Answer. Well, sir, it is very difficult for me to suggest any remedy from the outside to reach them ; I think it must be from within. I think that the motive for committing these outrages will have to cease ; I have very little hope from legislation.

Question. What do you understand to be the motive ?

Answer. Well, sir, I want it understood that I am simply giving opinions now.

Question. Certainly ; we understand that, from your official position, there you may be supposed to have information upon the subject.

Answer. I think there are several motives ; my own opinion is that a great deal of it is political ; that it is from opposition to negro rule, opposition to republican rule, specially opposition to negro domination in the State, as they term it. But, in addition to that, I think they have been exasperated, and the bad passions of the people have been called out much more than they would have been otherwise by the great many abuses that have been allowed to grow up under the republican administration of the State. As an honest man, I feel bound to admit that. I do not think anything ought to be named as an excuse or palliation for murder. But at the same time there are always causes for murder ; there are incitements to murder. And, speaking as a party man, I think that we ourselves have allowed a great many abuses to grow up there.

By Mr. VAN TRUMP :

Question. Give us some account of the abuses of the State government of South Carolina.

Answer. I think that, in the first place, the misfortune was that the dominant party was necessarily made up of such materials as it was. Of course negro suffrage was not acceptable to the former ruling population of the State, and they refused to have anything to do with it. That left a very large numerical majority in the hands of the negroes of the State, and of the few white men who had gone there at the close of the war, and the very few white men who had been residents of the State before and had joined the republican party. The material for creating public officers in those elements was necessarily very poor. A large number of incompetent and dishonest local officers were elected throughout the State. Their incapacity and dishonesty was displayed very conspicuously. In many counties their local affairs have been very much mismanaged ; and in the legislature we have had a great deal of corruption.

Question. If I understand you, then, the whole State government of South Carolina, including all its local details, is in a terrible condition in regard to a fair administration of the public affairs of the State ?

Answer. That is a little different from the statement I would make. I would make this statement : that I think there are very many abuses existing now in the State, growing out of the incompetency and dishonesty of republican office-holders. I think the influence of that in helping the Ku-Klux has been in this way : As I believe, the Ku-Klux are made up of the lower classes of society ; I presume those men who do the actual killing are desperadoes, the worst men in society. But they have been countenanced, or at least they have not been put down by public sentiment or efforts on the

part of the citizens, owing, in many instances, to the dissatisfaction and disgust of the better part of the community with the persons who suffer from these outrages—the county officers whom the Ku-Klux punish or kill. As I have said, they were so much dissatisfied, that they allowed themselves to tolerate such outrages as have occurred.

By Mr. STEVENSON :

Question. Is it true that the Ku-Klux in their operations confine their operations to men of bad repute?

Answer. No, sir, I do not think it is true that they confine them to those men.

Question. Do not they rather strike at the best men, the men of greatest influence? For instance, there is the case of Dr. Winsmith; you knew that case, I suppose?

Answer. I do not know that I would like to say that they strike at the best men; I hardly think they do.

Question. Do you know Dr. Winsmith?

Answer. Yes, sir.

Question. Was he not a man against whom no exceptions could be taken?

Answer. I do not think that there was anything against him.

Question. He was an old citizen, was he not?

Answer. Yes, sir, he was an old resident; a man who had represented the county in the State legislature for many years.

Question. Before the war?

Answer. Yes, sir.

Question. In other words, are not their operations, so far as they appear to be political, rather against the republican party than against the corrupt men of the party?

Answer. I should prefer to say that I do not think they are.

By Mr. BLAIR :

Question. Do you know by whom Dr. Winsmith was assailed?

Answer. No, sir.

Question. Have you any information which would tend to fix the assault upon the Ku-Klux that was made upon him?

Answer. I do not know more about that case than any other. They were masked men, who came at night in disguise, and in the manner of the Ku-Klux.

By Mr. STEVENSON :

Question. Have you observed that they make any distinction? Do they appear to be weeding out of the republican party the corrupt men in it? Does it appear to be an operation on their part against corruption in the republican party, or against the party itself? That is what I want to know.

Answer. I think it is; I think I am myself perfectly safe, because I believe I am an honest man, and I do not think the Ku-Klux would desire to put me out of the way. I take my own case, because that will illustrate to you what I mean. I do not believe anybody charges me with dishonesty, and I do not believe I am in any danger from the Ku-Klux.

Question. You are a lawyer, if I have been correctly informed?

Answer. Yes, sir.

Question. You are performing the duties of a lawyer, and do not take a very active part in politics?

Answer. No, sir; I have always mingled in the campaigns by way of speech-making, &c., but I do not call myself a politician for all that.

Question. That is not the leading element of your character or ambition?

Answer. No, sir, it is not.

Question. Suppose that you lived in one of those interior counties in which there is trouble, and lived in the country, and undertook there to be an active local leader of the republicans; do you feel that you would be entirely safe there?

Answer. No, sir, I should not. But at the same time I should feel I was very much safer—that my chance of living would be greatly increased—if I had the reputation of being an honest, faithful public officer.

By Mr. BLAIR :

Question. Would you not be much safer if you were to denounce the corruptions and corrupt men of the party instead of simply sustaining its principles by a wholesale support of the party or the acts of its officers?

Answer. I think so. Let me mention an instance: in the notices served upon the county officers—if these Ku-Klux notices are genuine—there have frequently been exceptions made in regard to certain persons; the orders purport to except certain persons.

By Mr. VAN TRUMP :

Question. Those notices are as genuine as any other testimony we have here; it is your opinion?

Answer. It is my opinion ; in those instances they have been men who are believed by both political parties to be honest men.

By Mr. STEVENSON :

Question. The men excepted ?

Answer. Yes, sir ; and I think it is perfectly natural. However much prejudice those men may have against republicans, that prejudice must be increased by knowing that they are rascals in addition ; I do not think that is a strange fact.

Question. Have you not information of instances where such notices have been served upon good men ?

Answer. Yes, sir ; I know of one instance, which is the worst I have known, in the county of Newberry. The judge of probate is a man who has always had a very fair reputation as a man competent to discharge the duties of his office, and of good character. He was notified some two months ago that he must leave. The lawyers of the court-house town had become favorably impressed with his character and his ability. They went to him and told him they had reason to believe that he would not be in any danger, that he could remain there.

By Mr. VAN TRUMP :

Question. Was he a white man or a colored man ?

Answer. He was a white man ; and upon their assurance that, for the present, he would be safe, and also if they discovered he was not safe they would notify him, he concluded to stay. About three weeks ago some of the lawyers representing the others went to him and told him that they had reason to believe he would be in danger if he staid there any longer. He thereupon told them that he would resign. He came to Columbia and tendered his resignation to the governor, bringing along with him a certificate signed by the bar of Newberry County that his character and conduct had been entirely unexceptionable, and that, he having concluded to resign his office, they desired to recommend somebody for his successor.

Question. What was the political character of these lawyers ?

Answer. They were democrats, all of them ; but they certified to his entirely unexceptionable conduct and character.

By Mr. STEVENSON :

Question. Then I understand it to be your opinion that the Ku-Klux do sometimes discriminate between good men and bad men, but not always ?

Answer. Yes, sir.

By the CHAIRMAN :

Question. What is the political complexion of Newberry County ?

Answer. It has been republican by about 1,300 majority, but that majority is mainly colored.

Question. Was this particular judge of whom you speak a republican ?

Answer. Yes, sir ; and was an Ohio man, who had been there for about four years.

Question. Did he resign ?

Answer. No, sir ; because the governor refused to accept his resignation.

By Mr. VAN TRUMP :

Question. What was his name ?

Answer. His name was Leahey.

By the CHAIRMAN :

Question. Is he in office yet ?

Answer. He had been lying out nights, notwithstanding the assurance of these lawyers ; he said he had not slept in his house at night for six weeks. He went back, and I have heard of him being in his office by day, but still lying out nights.

Question. Still discharging the duties of his office ?

Answer. Yes, sir.

By Mr. VAN TRUMP :

Question. Has he received any notice since ?

Answer. I do not hear that he has.

By the CHAIRMAN :

Question. Is he still lying out nights ?

Answer. Yes, sir.

Question. Take the other counties of which you have spoken, Spartanburg and Union, are they republican or democratic ?

Answer. Union is republican ; Spartanburg is democratic.

Question. Are the county officers in Spartanburg democratic ?

Answer. Yes, sir.

Question. How in Union County?

Answer. They are republican.

Question. How in York?

Answer. Republican.

Question. How in Chester?

Answer. Republican.

Question. How in Lancaster?

Answer. Republican.

Question. How in Laurens?

Answer. They are republican there, also.

Question. Did you mention Chesterfield as one of the counties in which there were disturbances?

Answer. I did not mention it; but I might have done so with propriety.

Question. What is its character?

Answer. That is republican, too.

Question. Then all those counties of which you have spoken are republican, with the exception of Spartanburg?

Answer. I think they are; there may be occasionally some non-political person elected to some of the county offices, where politics does not come in especially.

Question. Could not all those reasons which you have given, such as the character of county officers, operate in Spartanburg County?

Answer. Yes, sir, to some extent; because many officials are appointed by the governor.

By Mr. VAN TRUMP:

Question. Not elected by the people of the county?

Answer. Not elected by the county, such as trial justices and tax collectors.

By the CHAIRMAN:

Question. Have there been any complaints made against the officials appointed by the governor in Spartanburg?

Answer. Yes, sir.

Question. For what reason; that they were corrupt?

Answer. I do not recollect particular instances; I will not undertake to say. My impression is that one or two of the trial justices were claimed to be incompetent and corrupt. And I know that in the case of the county auditor and the county treasurer of that county, who are the appointees of the governor, there have for a long time been serious charges made by the white people of the county against them in regard to their capacity and their honesty.

Question. Coming now to the legislature, in which you have stated there was great corruption, was that corruption confined to men of either political party, or did it affect both?

Answer. The republicans were so largely in the majority that it was usually attributed to the republicans. I think myself that there were some democrats in the legislature who were corrupt; that is my impression.

Question. The republicans were so largely in the majority that they were responsible for the conduct of the legislature.

Answer. Yes, sir.

Question. Were not the charges of corruption made in reference to the legislation obtained for corporations?

Answer. Yes, sir; that was the charge.

Question. And was not that charge made against members of the democratic party as well as members of the republican party?

Answer. There were very few members of the democratic party; and I do not think the charge was generally made against them; I think there were a few exceptions.

Question. I am not speaking of its being generally made against the whole party, but against individuals of the party.

Answer. Yes, sir.

Question. I wish to follow that with this question: Have there been any instances in which these Ku-Klux outrages you speak of have been committed upon any democratic member of the legislature who was charged with corruption?

Answer. No, sir; I do not recollect any.

Question. Have there been instances of Ku-Klux violence against the republican members of the legislature, either those who were of good repute or those who were charged with being corrupt?

Answer. I do not know that I remember now any members of the legislature who have been troubled by Ku-Klux in any other way than this—that they did not dare go home. There are now a great many members of the legislature in Columbia, and in the lower part of the State, who do not dare to return to their counties. It may be that some of them have been molested; I do not remember.

Question. How is it with the member of Congress from that district, Mr. Wallace?

Answer. I cannot say, except that I have heard from him that he did not think it safe to go home, and I have heard that he has not gone home.

By Mr. VAN TRUMP:

Question. Is he a timid or a resolute man?

Answer. I should think that he has a fair share of courage; he was regarded as a very efficient internal revenue officer, which is rather a dangerous business, considering the illicit distilling in that part of the State. I think he is a man of good courage.

By Mr. BLAIR:

Question. In what part of the State does he live?

Answer. In the county of York, which is in the northern part of the State, adjoining North Carolina.

By Mr. VAN TRUMP:

Question. Did he claim that he had been notified of any intended assault upon him?

Answer. He told me that his contestant, Mr. McKissick, had advised him not to go back, and that members of his family and friends had written him that they did not think it safe for him to return home at present.

By Mr. STEVENSON:

Question. Do you know what was the debt of the city of Charleston at the close of the war?

Answer. No, sir; I do not.

By Mr. POOL:

Question. I would like to ask a question or two in regard to the reason why the material of the republican party was not good from which to make officers. Did the democrats decline to hold offices or be candidates for office?

Answer. No, sir; I suppose they would have been willing to have been elected to office. I do not know but you might as well put it in this form: they declined to be republicans, and the majority prefer to be republicans.

Question. Something was said by a witness here, I think it was Governor Orr, about their declining to vote and declining to be candidates. I think he said that in many counties where there was a large white majority colored men were elected because white men declined to run.

Answer. There may have been instances of that kind, but I do not remember.

By Mr. VAN TRUMP:

Question. Could they have been elected to office unless they turned republicans?

Answer. No, sir; not in many instances. I think our people have the usual desire for office; I think they would allow themselves to be elected.

By Mr. POOL:

Question. In the election in which Governor Orr was the candidate for governor there were 19,000 votes cast in the whole State.

Answer. That was very soon after the war, and when there was a general disinclination to take any part in any political movements.

Question. That was before there was any negro suffrage?

Answer. Yes, sir; that was in the fall of 1865.

Question. Were you then a resident of the State;

Answer. No, sir; I had not gone to the State at that time. I think that election took place in the fall of 1865.

Question. In the first election after the adoption of colored suffrage, how many white votes do you suppose were cast in the whole State?

Answer. I think there were about 80,000 colored votes, and about 30,000 white votes cast.

Question. At the first election?

Answer. At the election in March, 1868, the first reconstruction election, when Governor Scott was elected, and when I was elected; I think that was about the vote at that election.

Question. How many of those 30,000 white men do you suppose voted the republican ticket? Have you any means of making an estimate?

Answer. I think it has been estimated that not more than from four to five thousand white men voted the republican ticket.

Question. What would have been the total white vote of the State if the full vote had been polled?

Answer. About 45,000, I think; and the colored vote a little over 80,000.

Question. You say the refusal of the white men to act with the republican party was general, and left it without materials of which to make good officers?

Answer. Yes, sir.

Question. These outrages, such as scourging, &c., have been committed upon colored people mostly, have they not?

Answer. I presume that a majority of them have been.

Question. Have they been directed principally against corrupt officials, or against persons who held any official position?

Answer. I think the class who have suffered most from Ku-Klux outrages have been all bad office-holders, the corrupt office-holders. I think, as I said when I was first speaking of the motive of the Ku-Klux, that in that State the ground of the Ku-Klux movement was political. But I think it has been greatly aggravated by the misconduct of the republican party.

Question. Were outrages committed in 1868?

Answer. Yes, sir; there were homicides occasionally about the State, but there was no movement that conducted itself in the way in which these movements are conducted. The movements were then conducted in open day. For instance, in 1868 the chairman of the State central committee was killed at a railroad station, in the presence of a car-load of people.

Question. You have no personal knowledge of corruption on the part of the office-holders of South Carolina, have you?

Answer. Well, sir, I think I have personal knowledge; that is, as much personal knowledge as I have of anything that I have not seen with my own eyes.

Question. Outside of the city of Columbia?

Answer. Oh, yes, sir.

Question. Have you seen anything of it outside of the city of Columbia.

Answer. Yes, sir.

Question. What?

Answer. Do you want that I should mention where and who?

Question. I do not care to go into an examination as to the names of parties.

Answer. I can illustrate what I mean. In the county of Newberry, at the last term of court just now closed, two trial justices were indicted for malfeasance in office, and also two of the three county commissioners; the other had run away; they were all four convicted and are now in jail. For instance, the county commissioners were convicted of purchasing supplies, and the party who sold the supplies charged two or three prices for them, and the excess was divided with the county commissioners. The trial justices were convicted of extortion and oppression.

Question. That is a strong republican county?

Answer. Yes, sir.

Question. Were you present at the trial?

Answer. No, sir.

Question. Was it tried before a jury of colored men?

Answer. Of colored and white men.

Question. A mixed jury?

Answer. A mixed jury.

Question. Then there is no difficulty in convicting these criminals?

Answer. I think not.

Question. Then why the necessity for using these extraordinary means of Ku-Klux outrages to put them down?

Answer. That is very true; I think there is no need of it.

Question. Do you know any other instance in which there has been conviction or indictment?

Answer. The three county commissioners of Charleston County are under indictment.

Question. You mean the city of Charleston?

Answer. The county of Charleston, which embraces considerable outlying territory.

Question. Do you know of any others?

Answer. In the county of Williamsburg, I am not sure whether indictments have been found or not. But a day or two before I left I saw the report of the grand jury in which they made similar statements in reference to the conduct of the county officers there; but I will not say that bills of indictment were returned; my impression is that they were.

Question. Have not the governor and the executive officers under him been charged with corruption?

Answer. Yes, sir.

Question. To any great extent?

Answer. Oh, yes, sir; very gross charges of corruption have been made.

Question. Against the governor?

Answer. Yes, sir.

Question. As much so as against members of the legislature and county officers?

Answer. No, sir; I do not think they have been so generally made in the case of the governor; I am simply saying that they have been made.

Question. I do not say that you have any knowledge of it. Have you been excepted from these charges?

Answer. I do not mean to say that it has not been said that all of us have been corrupt. I do not recollect any occasion when I was singled out; but sweeping charges have of course been made that the whole thing was rotten and corrupt. I am not referring to that, but I allude to the general reputation of sober-minded men. I do not know that I am mistaken about myself. I do not desire to obtrude my character upon the committee; I was simply illustrating by reference to my own case. I think that in South Carolina a man is safer—I feel bound to say that, as bad as the Ku-Klux may be—I think that a man is safer in their hands if he conducts himself decently.

By Mr. BLAIR:

Question. I want to ask you a question in reference to the commission to purchase homesteads.

Answer. You refer to what is known as the land commission?

Question. Yes, sir. Were charges of corruption made against that commission?

Answer. Yes, sir; probably more against that branch of the government than any other.

Question. What was the nature of those charges?

Answer. The charges made were that the parties who had the management of the commission would purchase land at a nominal figure, very much over what was actually paid for it. For instance, they would charge the State \$20,000 when they paid the owner of the land not more than \$10,000, and then divided the other \$10,000 among themselves.

Question. Has any official investigation been made?

Answer. Yes, sir; the legislature last winter appointed a committee to investigate the charges made; but they never completed their labors. They made a preliminary report, which did not amount to very much either way; they never made their final report, and never to any extent reported the testimony they took.

By Mr. VAN TRUMP:

Question. Had they sufficient time to do it during the session of the legislature?

Answer. Yes, sir, I should think so; I never quite understood why they did not report.

By Mr. POOL:

Question. Were there any democrats on that committee?

Answer. Yes, sir.

By Mr. VAN TRUMP:

Question. There were, I suppose, as in all other cases, a large majority of republicans on the committee?

Answer. Yes, sir; the committee was made up of a majority of republicans, undoubtedly. I would not like to express any opinion that that had any influence in the matter, because I do not know that it had.

By Mr. STEVENSON:

Question. That would not prevent the minority from expressing their opinions?

Answer. No, sir.

Question. Have any of those land commissioners been Ku-Kluxed?

Answer. I do not remember. Perhaps if I could go over the list I might tell you; I do not remember at this moment.

Question. How many were there?

Answer. There was a State land commissioner, who had his headquarters at Columbia, and he had as many deputies as he chose to appoint, usually one in each county.

By Mr. BLAIR:

Question. What was the purpose and object of that commission?

Answer. To purchase lands at public sale and otherwise, when it could be purchased in large quantities at very low prices, and divide it up into lots of from twenty-five to one hundred acres, and to sell those lots upon three years' time to actual settlers, who would obligate themselves to settle upon the land and improve it.

Question. In fact, the object was to provide homes and lands for the colored people?

Answer. Yes, sir; while it embraced white as well as colored people.

By Mr. VAN TRUMP:

Question. It was a general law?

Answer. It was a general law.

By Mr. BLAIR:

Question. Of course this pretense that the land cost twice as much as it actually did cost enhanced the price to the settler?

Answer. Yes, sir; for they were obliged to charge the settlers as much more as they charged the State.

Question. And in that way the fraud would fall finally upon the purchaser?

Answer. Certainly; I simply state that charges were made.

Question. What I say is, that if this fraud was actually committed, it was, in fact, a fraud against the colored people for whom these lands were finally intended?

Answer. Yes, sir.

By Mr. STEVENSON:

Question. And a fraud against the State also?

Answer. Yes, sir.

By Mr. BLAIR:

Question. The State would be reimbursed by the purchasers of the land, for the land could not be sold for less than it cost?

Answer. No, sir.

Question. And if a commissioner pretended that he paid \$20,000 when he paid only \$10,000, the land when put in the market had to bring \$20,000, and thus the fraud was committed actually against the purchasers of the land, if not against the State?

Answer. Yes, sir.

By Mr. VAN TRUMP:

Question. The fraud would be against the State if the prices were so high in consequence of fraud that the land could not be resold?

Answer. Yes, sir.

By Mr. STEVENSON:

Question. Did the democratic element complain of that law?

Answer. I do not know. I cannot say that the members of the legislature voted on it as a party measure; I do not recollect. I know there were a great many in the legislature who doubted whether any such commission as that could be managed without a great deal of corruption.

Question. I speak of the policy of procuring homesteads for the poor and landless. Was that policy opposed generally by the democratic party? I want to know if that was an element of the unpopularity of the legislature.

Answer. I do not recollect whether they took a party course on that or not; I do not think they did.

Question. That does not strike you now as an element of the complaint against the legislature?

Answer. I recollect very well that in the reform canvass last fall—while I do not remember what the votes of the democratic members of the legislature were—I recollect that in meeting General Butler and Judge Carpenter, their charge was against the corruption of the commissioner, and not the policy of purchasing homesteads.

By Mr. BLAIR:

Question. Do you recollect what amount was invested in that way on the part of the State?

Answer. The first appropriation, in 1869, was \$200,000; in 1870, \$500,000 more was appropriated; making \$700,000 in all.

WASHINGTON, D. C., June 10, 1871.

AMMIEL J. WILLARD sworn and examined.

By the CHAIRMAN:

Question. Are you one of the judges of the supreme court of the State of South Carolina?

Answer. I am.

Question. In what part of the State do you reside?

Answer. In Columbia, the capital of the State.

Question. Have you any knowledge, derived from your official position, or from your travels through the State, that will enable you to state to us whether the law is administered effectually in that State, and whether life and property are secure?

Answer. My official duties have not been such as to make me fully informed on that subject, as I am a member of a court which has appellate jurisdiction only. Of course I have had some opportunity to make general observations such as any other citizen might make.

Question. So far as your observations have gone, give us their general results as bearing upon those questions.

Answer. As a matter of opinion, I can only give deductions from my own observations and the reports of others, upon which I base my belief. As to whether the

courts of the State are able to administer justice in all cases, I am very decidedly of the opinion that in certain parts of the State they are powerless to administer justice in certain classes of cases.

Question. In what portions of the State, and in what classes of cases?

Answer. I could not give as accurate a description of the localities as could be given by others. I suppose the attorney general of the State would be better able to mark out the precise localities. I would say that the inability of the courts to administer justice in certain classes of cases would be confined to a very limited number of counties, perhaps not to exceed a half dozen, perhaps not so many as that.

Question. Will you name them?

Answer. I would say that such was the case in Spartansburg, Marion, and Laurens Counties. There are some other counties, but my information in regard to them is hardly accurate enough—is certainly not accurate enough to guide official action in reference to precise localities; it is based too much on general hearsay. As to the disturbed counties, I suppose it is hardly necessary for me to recite their names.

Question. So far as you have information which will enable you to do so, you will please give their names.

Answer. In addition to the counties I have already named, I would say that York County is in a very disturbed condition, and so is Newberry County; though I am not prepared to say that the administration of justice in regard to those cases is entirely powerless in those two counties.

Question. Having given a list of the counties, so far as your information enables you to do so, state the classes of cases in which you say justice could not be administered in the courts.

Answer. Prominent among the classes of cases are those growing out of the contest for the civil and political rights of the newly enfranchised portion of the community, (the colored portion of the community;) that seems to be the great bone of contention—personal conflicts between the whites and the blacks. I would not class those cases as those in which the courts are entirely powerless; but I certainly am prepared to say that there is not that carefulness or watchfulness or impartiality in the administration of justice in those cases that we should all desire to see. Perhaps my meaning would be better illustrated in this way: if, in certain portions of the State, a colored person, in endeavoring to exercise his political franchise, or in making some self-assertion in regard to his civil rights, were to lose his life, or suffer any great bodily harm in a conflict growing out of such self-assertion, I am satisfied it would be futile to rely upon the courts of justice for redress, where the intervention of a jury was necessary.

Question. Have offenses known as Ku-Klux outrages been prevalent in the counties which you have named?

Answer. The class of outrages that have been publicly reported, and which are now generally believed to have occurred in all of those counties which I have named, and, with more or less frequency, have been popularly termed Ku-Klux outrages.

Question. Do you include those cases among those in which justice fails to be administered?

Answer. I do, as affecting all that class of rights; and in those counties I do not think the civil courts can give adequate protection to those rights.

Question. So far as your observation enables you to state, do you believe the law is effectually executed in other portions of the State, both in the protection of civil rights and the punishment of offenders?

Answer. I could not go to that extent. The law is more or less fully executed in other portions of the State; but there are counties which I would not designate, because I can only speak of general results, where I consider the administration of justice as very seriously embarrassed—as yielding anything but satisfactory results in regard to this class of cases. I cannot say that there is a perfect or entirely satisfactory administration of justice in any county of the State; nor would I believe that in any community where the key to the judicial power is the jury can there be obtained very satisfactory results in regard to the administration of justice, so long as the body of men who constitute the juries are divided into two great masses, opposing each other in regard to civil and political matters.

Question. Do you mean that in the conflict of sentiment existing between the white and colored races, there is an impediment in the administration of justice in your courts by means of your juries?

Answer. Most assuredly so, throughout the whole State. It interferes with that impartiality which should exist in the jury-box—that absence of personal or political influence so necessary in the jury-box cannot be secured.

Question. Does that amount to an actual obstruction of the administration of justice, or is it simply what might be termed an element of weakness in its administration?

Answer. It is an interference, and it is an obstruction, too. It does not prevent justice, in my judgment, so far as the bulk of the State is concerned.

Question. It does not prevent trials?

Answer. It does not prevent trials; it merely affects the purity of the result in most of the counties. You can prosecute in most of the counties of the State, summons your witnesses, and go through all the forms of law, and if you do not get a perfectly pure verdict, why—

Question. That difficulty which you say exists in all portions of the State is inherent in the condition of things?

Answer. It is a general demoralization, arising from the prevalence of these disputed questions; it is a thing which must rectify itself.

By Mr. BLAIR:

Question. What is the general belief in the State as to the maladministration of affairs, both in the State and in the counties, by the present authorities?

Answer. Well, there is an opinion which is very generally prevalent throughout the State, among the opponents of the present administration, that it is corrupt—a great deal like that political opinion that prevails elsewhere in regard to the party in power; that is the general opinion. Then there is a very general belief that there is a class of corruption there—well, more than ought to exist, more than the average in a well-regulated community—what might be called a somewhat extraordinary degree of corruption. That is the general impression, certainly, among those who are hostile to the administration, and it is to some extent prevalent in the minds of those who are friendly to the administration, or friendly to the party—of those who are not disposed to make a case of that kind for any political purpose whatever.

Question. Is it not a matter of very general complaint, and of just complaint, that in the appointment of subordinate officers, trial justices, &c., ignorant and incompetent and corrupt men have been generally selected throughout the State?

Answer. Yes, sir, I believe it is a very general complaint; how just that complaint is, how censurable the appointment of those men may be, is a very serious question. I may be permitted to throw a little light upon that matter, perhaps. At the time the State was under military government, and we were preparing to hold elections, during the administration of General Canby and General Sickles, I was at the head of the bureau of civil affairs of the State; I had charge, under the military commander, of all matters relating to registration, elections, education, civil causes, and everything of that kind. I used my best endeavors to secure a respectable and responsible class of men to appoint as registrars—we only had to appoint three in a county—and also to furnish managers of elections at the different polling-places, of which there would be five or six in a county, perhaps. I know that I used every possible exertion, in full accord with the military commander, and having the assistance of the officers of the Army who were scattered through the State, and who were quite impartial and unaffected by political influences. And I can judge, from the difficulty of getting at the character of the men appointed for that purpose, and the failure in so many instances of getting good men, that very great allowance should be made for the defects which you will find in the selection of trial justices. As fast as they were known to be bad they were removed; or, if not removed, I can readily see that there was gross official neglect. But I think it has been inevitable; I do not think any man could fill the appointments to those offices, as the State was circumstanced, and not commit a great many blunders; I know that I could not do it; I certainly tried, in the case of registrars, and with very indifferent results.

Question. You think it would be impossible to get proper men?

Answer. I think it would be a work of time, when so great a number of the men, who are fit for the offices, are unwilling to take them, and the selection must be made from a class of men who have not peculiar fitness for the duty.

By Mr. VAN TRUMP:

Question. Do you mean that democrats would be tendered those offices now?

Answer. Very frequently so, I am informed. I stand aloof from politics, and look at things as I see and hear them. I have been informed that a great many have been appointed; I do not know that I can exactly state the shibboleth by which they can be determined as democrats, but men who do not concur with the republicans, who do not wish to be known as republicans, if they are republicans; in that view, I can say that democrats have been appointed.

Question. Extensively through the State, or only in exceptional cases?

Answer. I do not believe a large percentage of the total number of appointments have been of that class, but our governor has announced in his public manifestations that a moderate man, who is not a republican, who would not use his official position for political purposes hostile to the administration or to the republican party, and who had the requisite qualifications, would be preferred to a known republican who had not the requisite qualifications. I trust the governor has carried out that principle, though I have no means of judging how far he has done it.

By Mr. BLAIR:

Question. When did he make that announcement?

Answer. A few months back.

By Mr. VAN TRUMP:

Question. Are not most executive messages generally very fair in their announcements?

Answer. They ought to be; as a general thing, the administration of a government never rises above the principles propounded; how it is in this case I do not know; I do not know the individual appointees.

Question. You do not know any of them personally?

Answer. No, sir; my contact is with the bar, and the better class of men in the State.

Question. How long have you been a resident of South Carolina?

Answer. Since 1864.

Question. From what State did you emigrate there?

Answer. From New York.

Question. And you have been there since 1864?

Answer. Yes, sir.

Question. That was before the close of the war?

Answer. Yes, sir; I have had a fixed residence there since 1864; it was a migratory residence for a while.

Question. I thought it was not very safe for a northern man to go down there in 1864.

Answer. I think I was making a landing-place in South Carolina for some gentlemen here present, for the movements of General Sherman's army; and I have remained in the State since then.

WASHINGTON, D. C., June 12, 1871.

Hon. JAMES H. GOSS sworn and examined.

By the CHAIRMAN:

Question. Do you live in Unionville, South Carolina?

Answer. Yes, sir.

Question. Are you a native of that State?

Answer. Yes, sir.

Question. How long have you lived in that county?

Answer. About fifty years.

Question. Were you a member of the Fortieth Congress?

Answer. Yes, sir.

Question. Will you please go on and state to the committee your knowledge of any lawless occurrences that have taken place in the county of Union, in which you live, within the last year?

Answer. Well, I live in the town of Unionville, and know that these things happen; but then I am not a Ku-Klux myself. For instance, a man may go to bed at night, and in the morning he hears of things that have taken place.

Question. Give your knowledge of what occurrences have taken place. Were you in the town of Unionville at the time some men were taken out of the jail and hanged?

Answer. Yes, sir.

Question. What do you know about it?

Answer. I think that prominent men control these things, you know.

Question. Can you give us the facts as they occurred within your knowledge?

Answer. A thing happens when a man is absent, and then he is there afterwards and hears of it. I know it as certain as I know anything I have not seen.

Question. Were you in Unionville at the time the jail was entered, and these men were taken out and killed?

Answer. Yes, sir.

Question. Did you see the men who came in there and did it?

Answer. I do not know whether they did it or not.

Question. Did you see them?

Answer. Yes, sir.

Question. Go on and tell us what occurred, if you remember it.

Answer. Well, you know, for instance, they would be present to-day and absent to-morrow.

Question. That is hardly an answer to my question; I presume you understand it. We want you to tell us what they did, as you say you were present and saw these men come in.

Answer. They would not do anything you could take hold of, you know.

By Mr. POOL:

Question. Were they in disguise?

Answer. O, no; not in disguise, not in the daytime, of course not.

By the CHAIRMAN:

Question. Were the men disguised who came in at the time they took these men from the jail? You say you saw them.

Answer. They were disguised then; you cannot tell who they were, you know.

Question. How were they disguised?

Answer. Some had sheets on, and some were disguised in different ways.

Question. Is that all that you can tell us about it?

Answer. That is about all; yes, sir.

Question. Did you see the men taken out of the prison?

Answer. No, sir.

Question. Have you any knowledge of any other case in that county of Union, in which men were either whipped or killed?

Answer. No, sir.

Question. You have not?

Answer. No, sir.

By Mr. COBURN:

Question. At what time did this happen?

Answer. At night.

Question. What time of the night?

Answer. Between 8 and 10 o'clock.

Question. Where were you when this thing happened?

Answer. In the town of Union.

Question. In what part of the town?

Answer. I live in the lower part of the town, probably a quarter of a mile from the jail.

Question. Were you in the house at the time?

Answer. I was in my house.

Question. Did you go out of the house?

Answer. No, sir.

Question. Did you see these men?

Answer. I had seen them before, you know.

Question. Did you see them at that time?

Answer. No, sir.

Question. Did you stay in the house all the time the thing occurred?

Answer. Yes, sir.

Question. Did you hear any noise?

Answer. No, sir.

Question. You were not a personal witness of what occurred?

Answer. No, sir.

Question. Did you ever hear any man engaged in that say anything about it?

Answer. No, sir, I did not.

Question. Did you ever have any conversation with anybody present at that time?

Answer. No, sir. My feelings and everything else were against anything of that kind.

Question. We are not asking what your feelings were; we only want what you know. When did you first ascertain that this thing had happened?

Answer. I think it was probably 4 or 5 o'clock in the morning.

Question. Who told you about it?

Answer. A girl that attends to my room, a colored woman.

Question. Did you go and see anything about it?

Answer. No, sir.

Question. You did not go near the jail the next day?

Answer. No, sir.

By Mr. STEVENSON:

Question. Did you make any inquiries about the matter?

Answer. Yes, sir; I inquired from her; she seemed to be well informed on the subject, and she told me how it happened. A party of men came there the night before, and took these men out and hanged them.

Question. Did you inquire of anybody else?

Answer. No, sir.

Question. Why not?

Answer. I did not think it was necessary, you know.

Question. Are you an old citizen there?

Answer. Yes, sir.

Question. You had represented the district in Congress?

Answer. Yes, sir.

By Mr. COBURN:

Question. Did you see the bodies of these men who were hanged?

Answer. No, sir.

Question. Where were the bodies, as you heard?

Answer. They were left upon the field, you know.

Question. How many were there?

Answer. I think seven or eight.

Question. How far was that from where you live?

Answer. About a mile.

Question. What was done with their bodies?

Answer. I think they were buried.

Question. What was the color of those men who were killed?

Answer. Brown and black.

Question. Did anybody inquire into the cause of that murder? Was there any judicial investigation?

Answer. Yes, sir; I think there was.

Question. You took no part in making the inquiries?

Answer. I could not, you know.

Question. Was that on account of fear or terror?

Answer. I do not think I am afraid of anybody, of any one man; I do not think I am.

Question. Can you give a reason why you took no interest in the murder of seven men?

Answer. I could not and live.

Question. Why? Would you not dare to ask a question about them?

Answer. If I had been prominent at all, made myself conspicuous at all, I would have been killed.

Question. Upon what do you base that statement?

Answer. I think I know myself; I think I know I am a man; I know that; I think I know as much about how I am situated as any man.

Question. We want to know the condition of things. If it is possible that there is such a condition of things in this country that when seven persons are murdered a man dare not make an inquiry about it, we want to know it.

Answer. That is the case. I am a good republican, and a white man; but I am situated so that I dare not say what I think.

Question. What was done with the bodies of these men? Did you know?

Answer. They were buried out there.

Question. Do you know who did it?

Answer. The sheriff; it was all legally done; it was done according to law.

Question. Was there a coroner's inquest?

Answer. I do not think there was.

Question. You say "it was done according to law." What was done?

Answer. Well, there were seven of them; they were taken out and hanged without any law at all. Then two were hung afterwards according to law. I am rather confused, you see, about it. There were two since then hung according to law.

Question. Two of whom?

Answer. Of these men who were said to be engaged in killing a fellow by the name of Stevens, a white man.

By Mr. BLAIR:

Question. These seven men were taken out and hung?

Answer. They were hung without any form of law; and since then two other men engaged in the same business were hung according to law.

Question. All were supposed to have been engaged in the murder of Stevens?

Answer. Yes, sir; you have it right.

By Mr. COBURN:

Question. Who was Stevens?

Answer. A white man who was about there.

By Mr. POOL:

Question. I understand you to say that you are afraid to say what you do know or what you think about this matter?

Answer. Well, yes, sir.

Question. Why are you afraid?

Answer. I would at that time have been afraid.

Question. Have you heard, by common rumor, of the commission of any outrages in that county within the last twelve months?

Answer. Yes, sir; you will very often hear of a man being whipped.

Question. How are men whipped? By single individuals or by bands of men?

Answer. By bands.

Question. By bands of disguised men?

Answer. Yes, sir.

Question. In your opinion does there exist in that county an organization of men who go about in disguise committing outrages of that character?

Answer. There does.

Question. How numerous do you suppose that organization to be?

Answer. I think it is so numerous that we cannot counteract it.

Question. Composed of white men or black men?

Answer. Of white men.

Question. Composed of democrats or republicans?

Answer. Well, I think ——— white men.

Question. Are they democrats?

Answer. I do not know whether they make any party question of that.

Question. Do you know of any republicans in the organization?

Answer. Well, I think they intend that the white men shall rule.

Question. How many white republicans are there in that county?

Answer. I think there are about fifteen hundred.

Question. Fifteen hundred white republicans? How many votes do you give in that county?

Answer. About three thousand.

Question. How many colored voters are there?

Answer. The colored vote is about one hundred and fifteen to one hundred and twenty majority.

Question. Then, if there are three thousand votes, and there are over fifteen hundred colored voters——

Answer. About fifteen hundred.

Question. Do the colored men vote the republican ticket generally?

Answer. O, yes.

Question. How many white republican votes are there?

Answer. There are none.

Question. There are no white republicans?

Answer. No, sir.

Question. Then you misunderstood my question a while ago, when you said there were fifteen hundred white republicans?

Answer. I did.

Question. You say this organization is composed of white men?

Answer. Yes, sir; white men.

Question. Against whom are the outrages perpetrated? Against what class, white or black?

Answer. Well, now, for instace, if I would undertake to stand out there against any prominent white man, I would be knocked over.

Question. You would be in danger?

Answer. Yes, sir.

Question. You say that, according to common rumor, men have been whipped in that county within the last twelve months?

Answer. Yes, sir.

Question. Were the men white or black who were whipped?

Answer. Principally black; some white men.

Question. Were the white men who were whipped acting with the republican party up to the time when they were whipped?

Answer. Yes, sir.

Question. They do not act with it since?

Answer. They do not act with it since; they dare not.

Question. When you say there are no white republicans in the county now, you mean since these outrages have been perpetrated?

Answer. Yes, sir; a man cannot be a republican there without subjecting himself to great indignities.

By Mr. VAN TRUMP:

Question. You say that if you took a stand against a prominent white man there you would be knocked over?

Answer. Yes, sir.

Question. Did you not take a stand against some prominent man there when you were elected to Congress?

Answer. To be sure I did; but I ran the risk, you know.

Question. Were you knocked over?

Answer. I ran the risk, you know.

Question. Well, that is a practical fact against your statement.

Answer. I have gone through things I would not go through again. A man might do things to-day he would not do to-morrow. No man can live in South Carolina, no white man, and be a republican.

Question. You live there?

Answer. I do ; I was born and raised there.

Question. You are a republican ?

Answer. Yes, sir.

Question. And are living there ?

Answer. Yes, sir.

Question. Do they know that you are a republican ?

Answer. I think they do.

Question. Do you take part in the elections ?

Answer. I expect I will.

Question. Have you not taken part up to this time ?

Answer. Yes, sir.

Question. Marshaling the negro vote there ?

Answer. No, sir, I did not.

Question. You say that is the entire republican vote ?

Answer. It is the entire republican vote.

Question. And you pay attention to the negroes at the time of elections ?

Answer. I speak to them.

Question. Do you not go round with them ?

Answer. Hand in glove ? I do not think I do.

Question. I do not say hand in glove. You say they go to the polls ?

Answer. They do go to the polls.

Question. Do you not help them ?

Answer. No, sir ; they help themselves.

Question. Did you take any part in the elections ?

Answer. Yes, sir.

Question. Not with the democrats ?

Answer. No, sir.

Question. You say there are no white republicans there except yourself ?

Answer. I do not know of any.

Question. With whom did you take part in the elections ?

Answer. I go and vote myself.

Question. Is that all the part you take ?

Answer. If a good colored man comes to me and asks me a question, I give him advice.

Question. Do you not go to the good colored men and give them advice as well as they come you ?

Answer. I might do it.

Question. Do you not do it ?

Answer. I do not know whether I do or not ; I might.

Question. You have not been interfered with ?

Answer. I think not.

By Mr. STEVENSON :

Question. And you do not mean to be, if you can help it ?

Answer. I think I take pretty good care of myself ; I think so.

By Mr. POOL :

Question. How many colored men vote the democratic ticket in that county ?

Answer. None that I know of.

Question. How many cases of whipping have occurred in the county ?

Answer. About six or seven.

By Mr. VAN TRUMP :

Question. In what length of time ?

Answer. Since last October ; that is, the time of the election.

By Mr. POOL :

Question. There has been no election there since October ?

Answer. No, sir.

Question. There have been six or seven cases of whipping since that time ?

Answer. Yes, sir.

Question. How numerous were the cases previous to that ?

Answer. Very few ; I do not think there was any. Since then where a man took an office they would whip him out of it, you know.

Question. Where a man took an office under that election they would whip him out of it ?

Answer. Yes, sir.

By Mr. VAN TRUMP :

Question. Is there nobody holding office there now ?

Answer. Some of the old officers there are holding there.

Question. Are all the offices full there?

Answer. Yes, sir.

Question. Are they filled by colored men?

Answer. No, sir.

By Mr. POOL:

Question. Are they filled by democrats?

Answer. Yes, sir.

Question. Were they elected at the last election?

Answer. No, sir; the men who were elected were driven out of the offices.

Question. By violence?

Answer. Yes, sir. I doubt myself if I could hold a county office there; I do not believe I could. I think I would have to bring a great pressure to bear to hold it. A colored man can hold it, or a common white man. If I could hold an office at all, I would have to bring a great pressure to bear.

Question. When you speak of taking a stand against a prominent man, do you mean a political stand?

Answer. Yes, sir.

Question. Is there any parading of these disguised men about the county, showing themselves?

Answer. No, sir; it is very secret and private.

Question. Do they parade at night?

Answer. Yes, sir.

Question. Do you frequently hear of their being out on parade?

Answer. No; they do not come out often. It has got so the negroes are afraid to vote—are afraid to do anything at all.

Question. The negroes are?

Answer. Yes, sir.

By Mr. BLAIR:

Question. Did not the negroes vote at the last election?

Answer. This has been since then.

Question. You have had no election since then?

Answer. No, sir.

By Mr. POOL:

Question. You mean it is worse now than before the last election?

Answer. Yes, sir.

Question. Suppose there should be an election there now?

Answer. The negroes would not vote.

Question. Why not?

Answer. They could not get any tickets, and if they went out they would be killed.

Question. You mean they would be afraid to vote?

Answer. Our friends do not protect them, and they would be afraid to vote.

Question. As I understand you, it is your opinion that since the last election there has been a change in the county for the worse in that respect.

Answer. Yes, sir.

Question. And it would not now be safe for men, white or black, to vote the republican ticket in the county of Union?

Answer. That is so.

Question. That is your opinion?

Answer. Yes, sir; I would not myself go and vote, and I do not think I am any more fearful than men generally are, you know.

By Mr. VAN TRUMP:

Question. Who had the majority in the county at the last election?

Answer. The republicans; about 118.

Question. What has occurred since then to make all that vast body of the people afraid to vote?

Answer. What has occurred since then? If a man should come and shoot you, you would think something had occurred.

Question. Where has that occurred?

Answer. Right there.

Question. Who was shot?

Answer. Seven or eight negroes were shot.

Question. I thought they were hung.

Answer. I say hung, too. If you were afraid in going to and from your house, you would think so too, would you not?

Question. How do you know the great body of negroes feel that way?

Answer. I am certain of it.

Question. Have you been among them through the country?

Answer. I have had negroes tell me so.

By Mr. POOL:

Question. How many negroes have been shot in that county since October?

Answer. I do not know that I know.

Question. Come as close to it as you can.

Answer. I should think twenty or thirty.

Question. Since October?

Answer. Yes, sir; I should think that many.

Question. Have there been any houses burned?

Answer. No, sir; they do not do that.

Question. Have there been any school-houses burned?

Answer. No, sir.

Question. How about the labor of the negroes?

Answer. They are working very well.

Question. Do they compel them to work where they direct them to work?

Answer. No, sir.

Question. They let them work where they please?

Answer. Exactly where they please.

Question. These outrages then are all political, directed against voting?

Answer. All political.

By Mr. VAN TRUMP:

Question. Name any of the negroes who you say have been shot.

Answer. Why, sir, you hear that a negro named Tom or Dick has been shot; you cannot tell the name.

Question. Name some locality where they have been shot.

Answer. I do not know that I could.

Question. Not a single one?

Answer. I do not know that I could.

By Mr. STEVENSON:

Question. Have any persons there been required to leave the republican party—to come out and say that they would not belong to it any longer?

Answer. Not in the county I live in; they have in another county.

Question. You say you are the only white republican left there, so far as you know?

Answer. So far as I know.

Question. How many white republicans were there when you were elected to Congress?

Answer. About two, I think.

Question. What has become of the other one?

Answer. He has gone to some other part of the State.

Question. You were a member of the Fortieth Congress?

Answer. Yes, sir.

Question. Have any colored people left the county?

Answer. Yes, sir.

Question. On account of these troubles?

Answer. Yes; several have left.

Question. Were they prominent among the colored people?

Answer. They were rather prominent; yes, sir.

WASHINGTON, D. C., June 14, 1871.

DAVID T. CORBIN sworn and examined.

By the CHAIRMAN:

Question. What official position do you hold in South Carolina?

Answer. I am the United States attorney for the district of South Carolina; I am also a member of the State senate.

Question. How long have you lived in the State?

Answer. Since early in January, 1866.

Question. How long have you held the office of United States district attorney?

Answer. I have been United States district attorney since April, 1867.

Question. We desire to obtain from you such information as you have derived from your official position, and from your observations in the State, as to the execution of the law and the security of person and property in the State. Give us such facts as you may have bearing upon these subjects.

Answer. Since July, 1868, when the military government was removed, I think there has been a general execution of the laws in the State. Civil government was put in operation there in July, 1868; General Canby retired from the command of the State; Governor Scott was inaugurated, and the courts of the State and all the various petty officers were put in charge of their offices. The machinery worked a little roughly at first, but it has generally been in operation since. The security of life and property, I think, has usually been satisfactory; I speak now in a general way. There have been a great many crimes committed, outrages of a special character, in certain portions of the State. In a large portion of the State, consisting particularly of the lower counties, those below Columbia, and some of the southern counties, on the southern border of the State, the laws have generally been well executed.

Question. Name, if you can, those counties in which have been committed those crimes of a special character to which you refer.

Answer. The crimes of that special character which are supposed to be the result of combinations, such as political murders, &c., have mainly been in Chester, Union, York, Spartanburg, and Laurens Counties, and some few in Edgefield and Newberry Counties.

Question. Any other counties within your knowledge?

Answer. I think that Marion has also suffered somewhat from these special crimes.

Question. With the exception of the counties you have named, are the civil rights of individuals enforced and protected in the courts, and are crimes punished?

Answer. I think so, very generally. There is very little complaint—that is, in the way we view things in South Carolina. I do not think that in the administration of the criminal law matters have been quite on a par with Massachusetts, Vermont, or the New England States, perhaps not with New York. But the prejudice existing between the two races has very much to do with the administration of justice. In many important cases the result has been a mistrial where we had mixed juries. Frequently if a white man was charged with a crime, a mixed jury would disagree about it; and again, if a colored man is charged with a crime, unless it was a very clear case—if it was a very important case, and politics was at all mixed up in it, the result has very frequently been a mistrial. That is probably a crying evil in the State.

By Mr. POLAND:

Question. You divide a little according to color?

Answer. Yes, sir; according to color.

By Mr. VAN TRUMP:

Question. Do you not know that a difficulty in obtaining a verdict in a political case has prevailed also in the North?

Answer. I have understood so.

By the CHAIRMAN:

Question. Please state to us what is the special character of those offenses to which you have referred as having been committed in those counties, and what is the obstacle in the way of the administration of justice as against them.

Answer. My official information has not been very extensive. I might perhaps relate to the committee the proceedings had in the United States circuit court at its last term in Columbia, which will better illustrate the difficulties there than I can illustrate them in any other way.

Question. Before you proceed to that, I will ask you this question: Are these special outrages to which you refer those which are ordinarily called Ku-Klux offenses?

Answer. They are.

Question. Now, go on and state, either by way of fact or illustration, as you may desire, of what they consist.

Answer. Just subsequent to the last fall election, on the 19th of October, the troops were removed from Laurens, where they had been stationed during the election for the purpose of keeping the peace. A riot took place there, and some half dozen colored and white people were killed; and some half dozen or a dozen more, the knowledge of which came to me through affidavits in one way or another, were taken out of their houses and whipped unmercifully.

By Mr. VAN TRUMP:

Question. At that riot?

Answer. At that riot, and some days following; the crimes continued for several days. The riot commenced on the second day after the election. An attempt was made to do something with these parties in the State courts; and I was informed by the attorney general of the State, Mr. Chamberlain, who has been before the committee, and also by citizens from that county, that they could do nothing, because the combination was so strong against them; that is, the parties who were whipped were unable to command either the influence or the means of prosecuting their cases before

the courts; in fact, magistrates did not dare to take up the cases and proceed with them. I was so informed; and, at the request of Governor Scott and of the attorney general, an attempt was made to prosecute those parties in the United States court, under the election law passed by Congress, sometimes called the enforcement act.

By Mr. VAN TRUMP:

Question. Under the last bill passed by Congress?

Answer. No, sir; under the one passed a year ago. A large number of those parties were indicted in the United States circuit court, and some forty witnesses were summoned from Laurens and examined before the grand jury, parties who had been whipped, those who had suffered, those who had escaped with their lives, whose lives had been threatened, and who had been shot at; those who had passed through all sorts of tribulations, came forward and testified before the grand jury. In my judgment there was sufficient testimony to have found any number of true bills. The jury was composed of a majority of white men, selected from the counties of Richland and Monroe, and some came from other counties. They stood about ten or a dozen in favor of finding a bill, or eight or ten, and the balance were against it.

Question. What was the composition of the grand jury as regards whites and blacks upon it?

Answer. I do not recollect exactly the proportion; I think there were only five or six colored men on the grand jury.

Question. What is the number of a grand jury in South Carolina—the number required by the common law?

Answer. Not exactly; I think that grand jury was composed of nineteen persons.

By the CHAIRMAN:

Question. Is that the number summoned or the number actually present?

Answer. That is the number actually present.

Question. How many do you summon for a grand jury?

Answer. We generally summon thirty-six, and get about half that number. A grand jury cannot be composed of less than sixteen, and may be composed of twenty-four. I think on that occasion there were some eighteen or nineteen on the jury.

By Mr. STEVENSON:

Question. How many are required to find a bill?

Answer. At least twelve are required to concur in finding a bill. The main difficulty with the grand jury, as I understand, was this: While they admitted that the murders had been committed, that the whippings had been committed, that the proof was ample in reference to that, nobody doubted it, yet if you gentlemen will recall the act of Congress, you will recollect it is so drawn that we have to allege in the indictment the motive of the offenses.

By Mr. VAN TRUMP:

Question. What was the motive alleged?

Answer. I could tell better if I could have the act before me. As I recollect it, it was something in this form: that the act was done with the intent to deprive the parties of their rights.

By Mr. POOL:

Question. Rights secured by the Constitution and laws of the United States?

Answer. Something in that form; rights secured by the Constitution and laws of the United States. The majority of the grand jury said that, although the murders and whippings had been committed, they had not been done with the particular intent with which the statute clothed the offense, and the bills were rejected.

By Mr. VAN TRUMP:

Question. That was their deduction from the testimony?

Answer. That was their conclusion, as they stated. If you will allow me to say, I think that is the difficulty with all the acts of Congress passed for that purpose; it is a very difficult matter to prove the special intent with which the offenses are required to have been committed.

Question. If I understand you, the grand jury, or a number of the grand jurors, stated to you that that was the difficulty, but that they had no difficulty about the facts of the homicides or whippings having been committed?

Answer. Certainly; the foreman of the jury so informed me.

By the CHAIRMAN:

Question. Was it under the sixth section of the act that you drew up the form of indictments?

Answer. I think so. You gentlemen are all lawyers, and you will readily see that the indictment must be drawn in this form; there are the words of the act: "That 1:

two or more persons shall band or conspire together, or go in disguise upon the public highway, or upon the premises of another, with intent to violate any provision of this act, or to injure, oppress, threaten, or intimidate any citizen, with intent to prevent or hinder his free exercise and enjoyment of any right or privilege granted or secured to him by the Constitution or laws of the United States, or because of his having exercised the same, such person shall be held guilty of felony," &c.

By Mr. VAN TRUMP:

Question. There is no doubt that that is the gravamen of the indictment?

Answer. Certainly.

Question. Was this foreman of the grand jury a white man?

Answer. Certainly.

Question. What were his politics?

Answer. He was a republican, and in favor of finding the bill.

Question. But the sense of a majority of the grand jury, or of a sufficient number to prevent the finding of a true bill, was that, although they had no doubt of the fact of the homicides and whippings having been committed, the difficulty was that under the law in regard to those facts the allegation in the indictment was not sustained, as to the intent with which those offenses were committed?

Answer. There is no doubt that that is the ground they put it upon, that the intent was lacking. They were not without proof upon that point, however. Witnesses testified very strongly to the declarations of those parties, both before and after the offenses were committed.

Question. You spoke of the testimony; were you in the presence of the grand jury during the examination?

Answer. I was present a part of the time, and a part of the time my assistant was present. I always attend upon the grand juries.

Question. Was there a conflict of testimony on that question of intent?

Answer. No, sir; we never summon before the grand jury—I do not, at least—any but parties who are for the prosecution.

By the CHAIRMAN:

Question. You say there was testimony showing the intent. Was it the declaration of the parties inflicting the outrage?

Answer. Yes, sir. A witness would testify in this way, for instance: That Mr. Jones said that he would be damned if this negro rule had not got to stop; that the conflict was at hand, and they might as well fight it out now as at any time; that they would not submit to this negro rule, and the rule of the carpet-baggers.

By Mr. VAN TRUMP:

Question. You assume the name of Mr. Jones?

Answer. Certainly.

Question. Are you sure that was in relation to the men actually indicted?

Answer. I cannot be mistaken about that; I took great pains to look up the case.

By the CHAIRMAN:

Question. Proceed and give a connected statement of that case. You were interrupted in your statement.

Answer. The indictments were all ignored by the grand jury. That closed the prosecution, of course, so far as those cases were concerned. The committee can see as well as I can what were the difficulties in the way. It occurred to me—I said it there, and I say it here—that politics was at the bottom of the whole thing. The jury, of course, was from the country, without regard to party; it was intended to get as fair a jury as possible. I was under the impression then, and I am still, that they were divided very much as their politics ran. There were influences brought to bear upon the grand jury. There was a great deal of commotion, and a great many politicians came to Columbia, and were present during the investigation. I was constantly interviewed and annoyed by them.

Question. Parties on both sides?

Answer. Mainly the friends of the parties who were indicted; of course I saw those of my own side. I simply sought to get testimony in the case.

Question. What I mean is, did politicians of both sides come to Columbia while that case was pending?

Answer. I do not know that I can say that exactly. The legislature was in session, and of course all the politicians were there who belonged to the legislature; but members of the reform party, as they called themselves during the last campaign, came very largely to Columbia during the investigation. In fact the parties indicted were represented by the most distinguished counsel they could obtain in the State, and from different parts of the State.

By Mr. BLAIR:

Question. Did the counsel go before the grand jury?

Answer. Oh, no; but they were looking as lawyers know how to look in these cases, after the witnesses, &c.

By Mr. VAN TRUMP:

Question. I understood you to say you did not have witnesses in behalf of the defendants about to be indicted by the grand jury.

Answer. I certainly say so now.

Question. Then these men were not hunting up witnesses for that purpose?

Answer. They were looking after our witnesses. I merely say that the counsel, or politicians, were about there looking very anxiously after the defendants during the whole period of the investigation.

By Mr. POOL:

Question. You say that influences were brought to bear upon members of the grand jury?

Answer. I thought so, and I say so now.

By the CHAIRMAN:

Question. Were those offenses committed by men in disguise?

Answer. I cannot be positive now whether some of them were or were not. My impression is that they were. My recollection is that I drew up about a dozen indictments and had a dozen or twenty more ready to be drawn if the prospect was that the grand jury would not ignore all the bills. Having drawn up and put before the grand jury that number and failed entirely, I did not put the others before them. I think a portion of the offenses committed within a week or ten days after the election, some of the whippings, were done in the night time and by men in disguise.

Question. When was that term of your court held?

Answer. It commenced on the fourth Tuesday of November, and continued through December up to the holidays.

Question. Have you had any cases officially brought to your notice since that time?

Answer. Since that time I have had no official knowledge or information in my office, except in reference to a case that occurred in Newberry some six weeks ago, where a party of disguised persons, as alleged by the affidavit, visited in the night time the house of one Mr. Young, who was a county commissioner.

By Mr. VAN TRUMP:

Question. Was he white or black?

Answer. I think he is a black man; I am under that impression, but I may be mistaken, however; a light colored negro. I think the affidavit alleges that they visited his house and fired into it; that he returned the fire, and wounded one of the parties by the name of Faulkner. Faulkner was so badly wounded that he could not get away with his companions, who fled after one person was wounded, for there seemed to be a great many guns in battery ready for them. They left this wounded man; he was arrested, brought before the trial justice of the county, and bound over for appearance at the court in the sum of \$1,000. He was released on bail, and allowed to remain at home. Information came to me that he was likely to escape; that there was some combination to remove him out of the State. Affidavits were filed against him under the recent act of Congress.

By the CHAIRMAN:

Question. The act known as the Ku-Klux bill?

Answer. Yes, sir. An officer, a deputy marshal, was sent to Newberry to arrest him. Before attempting to make the arrest he obtained assistance, as I am informed; in fact, I advised him so to do in order to prevent any trouble or further bloodshed. He obtained the assistance of the military stationed at Newberry, and went to the house where this party was reported to be. When he got there he had fled; his wife and mother said that he had left the State.

By Mr. VAN TRUMP:

Question. The wounded man?

Answer. Yes, sir; this Faulkner. Search was made for him quite extensively in the county. It was believed he was hiding away there, but the deputy marshal returned without being able to effect the arrest. Since that time I have learned on reliable authority that he had gone into Edgefield, the adjoining county, and was there keeping himself quiet and trying to get well. After being there several days several white men, whose names have been given to me—I have not the names with me and cannot repeat them now; that is, the names of those who were supposed to be the parties—several white men visited the house and pretended to be his friends; they said they wanted to get him off into North Carolina, and got the people out of the house to parley about it. It seems he was a little suspicious that they were not his friends. His wife was induced to leave the room; his wife at that time had gone over to stay with

him and to take care of him. She was induced to leave the room for a moment, and they ran in there and shot him.

Question. Were they disguised?

Answer. I am not sure about that; but he was put out of the way in that way. Of course our theory of the matter is this, though we do not know anything about it: He had begun to talk some and had given some information, and had indicated a determination to tell who the people were who were engaged with him, in order that he might get out of the scrape he was in.

By the CHAIRMAN:

Question. Had that information been conveyed to you as United States district attorney.

Answer. Yes, sir; the information had been conveyed to me by Mr. Boozer, the United States commissioner at Columbia, that this man Faulkner was disposed to tell, and we were exceedingly anxious to get hold of him, because we expected to get from him information that would enable us to arrest other parties. Our theory is that those parties killed him for the purpose of stopping his mouth.

By Mr. VAN TRUMP:

Question. Do you know there is another theory in that country about that matter?

Answer. It may be.

Question. A theory that the friends of the man who was shot got that man out of the way?

Answer. I never heard it. Young was not wounded at all, and consequently had no revenges of that kind to work out. There may be such a theory, but I am not aware of it.

By the CHAIRMAN:

Question. Was there sufficient evidence before you to satisfy you whether the men who killed Faulkner were white men or black men?

Answer. They were white men—all of them; that is my information, and it came to me most direct from that vicinity.

By Mr. BLAIR:

Question. Were they known to the people who were in the house and to the wife of Faulkner?

Answer. They were not known to the wife.

By Mr. VAN TRUMP:

Question. How did you get the names of these men?

Answer. I have been told privately, of information derived through some detectives in that vicinity, that they believed they were such and such persons; I am not sure of it myself.

Question. How did they undertake to decide whether they were white or black, if they were masked?

Answer. It was in the day-time, and they saw enough of them. I am not sure whether they were masked on that occasion; it was an open-day transaction; I am not positive whether they were masked or not. Perhaps I should have said nothing on that subject; I think they were not masked. They were white men, and introduced themselves to his wife as friends of his who desired to help him. She had sufficient suspicion or fear of them to dally with them some time.

By the CHAIRMAN:

Question. In what county was that?

Answer. In Edgefield County.

Question. Have there been frequent lawless acts in that county?

Answer. Not of this special class, as I am informed. I am very intimate with the judge who holds the court in the circuit, Judge Samuel Melton; he has informed me that the crimes committed there are generally murder or manslaughter, growing out of personal quarrels, and things of that kind. I know that it is considered a very rough county.

Question. The crimes you refer to are not committed by persons in disguise or in organized bands?

Answer. No, sir; I never have heard of any in that county except the one I am speaking about. I have always understood that it was one of the roughest counties in the State; it has that reputation. But Judge Melton, who is a native of South Carolina, and a vigorous judge, has tried to enforce the law.

Question. Are there any other facts that have come under your knowledge and observation that bear on the subject of this inquiry?

Answer. No, sir; not in my official relations; a great deal of information has come to

me from an aid on the governor's staff, who visited Union, York, and Chester counties at the time these outrages were committed, but that is all second-hand testimony. He informed me of the result of his investigation; I took particular pains to inquire, because I felt it my duty, if offenses had been committed against the acts of Congress, to work up the case.

Question. You were seeking information to enable you to discharge your duties as a United States officer?

Answer. Yes, sir; certainly.

Question. So far as you have derived your information in that way give us your belief as to the present condition of the community there so far as relates to the execution of the laws and the security of life and property.

Answer. The information received from General Anderson, who was specially sent to investigate the matter and to report to the governor, is that the most perfect organization exists in Chester, Union, and York Counties for the purpose, as they say, of cleaning out the carpet-baggers and negroes holding office.

By Mr. VAN TRUMP:

Question. How do you mean most perfect; relatively or positively?

Answer. A perfect military organization. Perhaps I had better state in that connection what the information was. After the taking out of the jail several colored people in Union, and shooting them at night, on two different occasions, I think in January and February, General Anderson went to the place for the purpose of obtaining all the information he could in reference to how things were done, and who were doing them, in order that some remedy might be devised. He informs me that he learned from the sheriff, and from leading citizens in the town of Union, that about 10 o'clock at night they were surprised by a cavalry force, apparently coming up the street in perfect order, and controlled by military orders. They moved in the most perfect manner up to the jail and formed into line.

By Mr. POOL:

Question. Were they armed?

Answer. They were armed with guns. I do not know whether they had sabers or not.

Question. Were they disguised?

Answer. They were in disguise. They formed into line, and the officer in command called out, "Number one, number two, number three, ten paces to the front." They came to the front, and he then said, "Number one and number two will open the jail." He told off the men by numbers; no names were called. They stepped to the front and demanded the keys of the jail. At first the sheriff declined to give them up. He was immediately put under guard and told that his life was in danger if he resisted or said a word. He gave up the keys and they opened the jail and took out the prisoners there in confinement. The prisoners were put into the line, and the soldiers resumed their places and were marched off out of town. About two miles from town they were halted, and the prisoners were brought to the front. Numbers one, two, three, four, five, and six of the men were ordered to step ten paces to the front, and the prisoners were then ordered to step ten paces in front of them.

By Mr. VAN TRUMP:

Question. How was that ascertained?

Answer. A colored witness swore to the fact—one of the parties who escaped very badly wounded. When the prisoners stepped to the front the order was given, "Ready; aim; fire;" and a prisoner fell. They went on through the whole five or six in the same way; they were all shot precisely as we in the Army would shoot persons sentenced to be shot; with the same commands and with the same precision. I think two escaped the first time very badly wounded; but they were retaken and shot afterward. But they gave this information just as I am giving it now. After four or five had been shot, there appeared to be a little wavering, a little hesitation in the ranks. Of course the prisoners saw what had been done with those who had been marched ten paces to the front, and they began to devise means to escape. After four or five men had been sent to the front and shot, there was some little delay in the firing, in the party getting ready; they did not come quite up into line ready, and there was some marked hesitation of that kind. One man was left alone, was released ready to be shot; he started to run; they fired upon him and he was badly wounded and fell over the fence and died. Another escaped and got away from them that night, but was retaken some few days afterward and put into jail; at a subsequent period he and five or six others were taken out and shot in the same way. The details of the two sets of murders are almost identical, as given to me by General Anderson. I have no doubt whatever of his truthfulness; he is a man of honor; was a soldier in the Army; never had been mixed up with politics, and was taken upon the staff of Governor Scott for the purpose of aiding him, I think, in this very matter.

By the CHAIRMAN:

Question. Was it your information that these negroes were in the jail upon the charge of murdering a former confederate soldier, Mr. Stevens?

Answer. Yes, sir; a part of them.

Question. What were the others there for?

Answer. As confederates, or in some way connected with the murder, either accessory before or after the fact; I do not recollect which.

Question. What was the reason given for taking them out and shooting them in this way?

Answer. I think the pretended reason given by the friends of these parties, by those who sustained them in the act, was that juries would not convict them, and they proposed to see that they were executed.

By Mr. BLAIR:

Question. Was there not an effort made, by application to the governor, for their removal to Columbia, to be tried there?

Answer. Such an effort was made in regard to the second set of them. After the first set of men I have spoken of were murdered, and after one or two of them who had escaped had been retaken—and there were some six or seven of the second set in the jail—there was great fear felt at Columbia, I recollect, that they might be taken out and dealt with in the same way. I think that Governor Scott suggested to the judge of the circuit that he had better remove them to some other county for safety, in order that they might not be murdered as the other batch had been murdered. The circuit judge did issue an order to that effect to the sheriff; the sheriff received the order and went home, told everybody what he was about to do, and that night they were taken out of the jail and shot, just what the process was designed to prevent. The friends of these parties alleged that if these negroes were taken down to Columbia they never would be punished, &c.

By Mr. POLAND:

Question. Was this an order for the removal of the case to Columbia?

Answer. For a change of venue, or it was intended to be such. My impression is that the form of the order was a *habeas corpus*, but it was done with the intent of changing the venue, and getting them into a different court. The judge was not holding a court at the time.

Question. If not holding a court he could not make an order for the change of venue?

Answer. I think not; and that is the reason why I say that the order was in the form of a writ of *habeas corpus*, with the design when he got them before him to confine them in the Columbia jail, or in the jail of some other county.

By the CHAIRMAN:

Question. I think Judge Orr stated it was under a special statute of South Carolina, which authorized the judge to do that.

Answer. The court could do it; I drew the statute myself.

By Mr. BLAIR:

Question. Are you certain about a number of them having been shot before this order was made?

Answer. I am certain of that; there were two occasions of the kind, I think, some three or four weeks apart; it might not have been so long as that. The first time there were three killed, and one or two wounded, who escaped, as I have said. The parties who escaped were still charged with the crime of being concerned in the murder of this confederate soldier, who, by the way, was peddling whisky; he had sold whisky to the negroes, and got them tight, and then refused to give them any more. This was on a Christmas or about Christmas time. They demanded more, and he said they should not have it; they were drunk, and in that way he got shot; it was a drunken row in which he was shot.

Question. These negroes composed a military company.

Answer. I think that mainly they were members of a military company. It was about Christmas, I think, and they had had a training or something of that kind on that day.

By the CHAIRMAN:

Question. On the day that Stevens was murdered?

Answer. Yes, sir; still this is very vague in my mind; I will not be positive about that. However, it is my impression that it was so.

Question. These are the facts as derived from your conversation with General Anderson?

Answer. Yes, sir.

Question. What was the general impression left on your mind as to the security of

life and person in the counties where he carried on his investigation, and the result of which he reported to you?

Answer. It was my opinion, derived from information which I obtained from him and others, among others the senator from that county, who sat near me in the senate, and also members of the house; but the most direct information I have, came from General Anderson, because he went there for that purpose; it was my opinion and belief that there was no security for life up there.

Question. As against these organized bands of men?

Answer. Yes, sir.

Question. How as to other offenses in that part of the State, where men are indicted for the ordinary criminal offenses that occur in a community, such as assault and battery, or theft; is there any difficulty in administering the law there?

Answer. My information on the subject is derived mainly from Judge Thomas, who presides in the circuit; he has informed me that he has generally succeeded in punishing criminals. Judge Melton, as I have before stated, has informed me that he has found difficulty in Edgefield in securing convictions in many cases, but there is probably no great ground of complaint, except the want of moral perception in many people.

Question. Have you been in this disturbed portion of the State since the passage of what is known as the Ku-Klux law?

Answer. No, sir; I have not been above Columbia since the passage of that act, and not in any portion of the State where this organization is reported to exist.

Question. Have your investigations into the state of affairs in those counties been such as to enable you to form an opinion on that question?

Answer. In connection with the marshal, I have attempted to get information in reference to these matters, and he, I think, has instructed his deputies, either at my instance or on his own motion, to obtain information and communicate it to him. Our information is, that up to this time the organization continues to exist, but we could not get any positive information in reference to that; people do not dare to testify. Every lawyer knows, or at least every prosecuting officer, that you cannot take the first step toward a prosecution until you can get somebody who knows about an offense, to swear that the offense has been committed.

By Mr. VAN TRUMP:

Question. Have you ever tried the experiment of summoning men that you might suspect, or some friends might suspect, before you to swear?

Answer. No, sir; we would never summon a man before the court to make a charge; we have to get an affidavit before we start at all.

Question. I mean in a case actually on trial; have you ever tried the experiment, in order to see whether you could get men to swear to what is claimed to be the fact?

Answer. No, sir; there has been no foundation to begin upon.

Question. What I want to get at is, whether it is simply your impression that it would be difficult to get men to swear?

Answer. No, it is not an impression exactly.

Question. What are the facts that lead you to that conclusion?

Answer. My information is this: The deputy marshal at Newberry, and I think the deputy marshal also at Laurens, have informed me and have informed the marshal that they could do nothing, that no parties there were willing to make affidavits. In fact, the United States commissioner at Columbia, Mr. Boozer, informed me that it was impossible to get men to make affidavits upon which warrants could be issued.

Question. The difficulty was that they did not know the parties who committed the outrages, was it not?

Answer. That is one difficulty, it is true; but the information that comes to us is this: The marshals say that the parties who do know who have committed the outrages do not dare to make an affidavit upon which to start the prosecution, because they would be the very next parties to be visited.

Question. How do they know?

Answer. They say so; that is our information.

Question. In fact, nobody comes forward voluntarily to give information?

Answer. Not a soul; not an individual.

Question. That is about it, is it?

Answer. The deputy marshals say nobody can be got to do that unless they can be guaranteed their safety, and sent out of the country afterward.

Question. About this riot at Laurens, you have derived all your information in the case from the parties testifying before the grand jury?

Answer. Yes, sir; about forty witnesses.

Question. White men or negroes?

Answer. Both.

Question. Were there not black men indicted?

Answer. No, sir; they were the parties suffering; there was not an instance of anybody but northern men and negroes injured. Several northern men at that place —

Question. What gave rise to that riot?

Answer. My information upon that point was that on the day of election there was a company of United States troops there. The election passed off very quietly; everybody voted; the negroes came out in full force and out-voted the white men, and elected the republican candidates. On the day following the election, after the troops had left, some altercation commenced on the street.

Question. Between disguised men and others?

Answer. No, sir; not at all; between persons of different parties. Some altercation commenced, and all at once the other side appeared on the street, armed, and commenced an indiscriminate firing upon the public offices.

Question. Where was this militia organization?

Answer. They had gone home; they were not present on that day.

Question. There were Loyal Leagues there?

Answer. There was a military organization and they were there on the day of election.

Question. A negro organization?

Answer. I think so.

Question. Were they armed?

Answer. My information is from Mr. Crews, that the colored militia had a sort of training outside of the town, but they were not allowed to come inside of the town.

Question. On the day of the election?

Answer. I think so, but I will not be positive about that. At any rate they were there on the day of election, but left their guns outside of the town. That night they went home, and on the day following the election, when this riot commenced, they were not there in force.

Question. These negroes selected the day of election for their military training with arms?

Answer. I am under the impression that they had something of the kind there.

Question. How far out of town did they leave their arms?

Answer. Beyond the limits of the town, I have understood; it is so long since that I am not very positive about that fact.

By Mr. POOL:

Question. Was this negro militia called out by authority of the governor?

Answer. No, sir; it was a voluntary coming together.

By Mr. VAN TRUMP:

Question. Where did they get their arms?

Answer. They were furnished by Governor Scott, as militia of the State.

Question. Did he furnish white men also with arms?

Answer. My impression is that he did not do it so much then; he has been furnishing them since.

Question. He pursued pretty much the same tactics as here in the District of Columbia?

Answer. I do not know how that is; it may be.

Question. You say there were regularly organized negro Loyal Leagues in that county?

Answer. There was two years ago a very general organization of that name; I was never a member of it, and know very little about it, but I believe it was very general.

Question. What is your opinion, from knowledge or information—that the negroes first organized their leagues before you heard of this Ku-Klux organization?

Answer. I never heard anything about the Ku-Klux in South Carolina until last year.

Question. But you heard of this negro organization before?

Answer. The loyal league, as it is called, was a political organization for the purpose of bringing the negroes together and getting them united to vote together.

Question. Is not this militia organization composed of the same negroes as the leagues?

Answer. Doubtless many of them belong to the leagues; the militia is made up of colored people. Under the militia laws of 1868, adopted at the first legislature, the governor and adjutant general were authorized generally to organize the militia of the State. They went to work in a way peculiar to themselves to organize it. I am willing to state, although I am a friend of the administration, that I disapproved entirely of the manner of organizing the colored people and arming them, without doing it generally in regard to all the people, white and black. I did not think it was good policy, and I do not now.

Question. What is the fact in regard to those counties up there which you say are in trouble and have a negro excess of population and voters; how is it with regard to civil officers, trial justices, commissioners, &c.; are they principally negroes?

Answer. I am not very well informed about that. I think there are colored men in office in many of those counties, or were.

Question. What is your opinion in regard to charges of corruption, bribery, and malfeasance in office, in connection with the negro officers there?

Answer. My opinion as to that is simply this: that the colored men and the white men in office have been guilty, more or less, of little peculations, perhaps, or guilty of neglect of duty. Many of them were not fit to hold office, or some of them were not; they were ignorant of their duties, and they have been guilty of foolish transactions in connection with their offices.

Question. Is it not the fact, or is it not the general impression and charge, that both the State government and the county governments of South Carolina are in a terrible state of corruption at this time, and have been?

Answer. Well, sir, I know the newspapers charge very generally and very sweepingly—

Question. Have you any doubt of that being the fact?

By Mr. POOL:

Question. What sort of papers, of what party?

Answer. The democratic papers, the papers of the opposition party. I have no doubt at all there have been bribery and corruption in connection with the legislation of the State; I have no doubt whatever of it. I have never seen any money paid or bribes received; but my candor requires me to say that I believe it has existed with regard to certain measures, called jobs in South Carolina.

By Mr. VAN TRUMP:

Question. Do you know Mr. Chamberlain, the attorney general of the State?

Answer. He is a very intimate friend of mine.

Question. A republican, like yourself?

Answer. Yes, sir.

Question. A man of high character?

Answer. Nobody would question his character and integrity.

Question. And what he would state of facts coming under his observation, and matters of information connected with these things, would be entitled to credence?

Answer. I should believe so.

By Mr. POOL:

Question. Were there any white men killed at Laurens?

Answer. Yes, sir.

Question. What were the politics of the white men killed there?

Answer. All republicans and office-holders; the judge of probate elect was a white man, from Ohio.

Question. Do you mean office-holders elected the day before?

Answer. Yes, sir.

Question. There was no democrat injured on that occasion?

Answer. I never have heard of one.

Question. Any democrats whipped or outraged in the week or so following that?

Answer. No, sir; not to my knowledge.

Question. Have there been any prosecutions in the State courts for this class of offenses of which you have been speaking?

Answer. I think not; I think they have failed altogether to do anything in that direction.

Question. You spoke of the man who shot Faulkner when he was wounded in the attack; was his name Young?

Answer. Yes, sir.

Question. What has become of him?

Answer. I think he is still living in Newberry; he is a county commissioner; I think I have seen the man, but I am not well acquainted with him; I think he still remains at Newberry, although he has been warned to leave.

Question. Did you observe whether the division of the grand jury, in the case to which you have referred, was strictly political?

Answer. I cannot say now positively, but my impression is that it was something that way—very much that way. My assistant conducted the larger portion of the investigation, for the simple reason that I was conducting trials in court. He gave me information that it was utterly useless to go on with the case; that a majority of the grand jury were against us; and that they were all the white men, as I understood him to say, or many of them, except the foreman, Mr. Montgomery, of Newberry, whose politics was republican.

By Mr. VAN TRUMP:

Question. Did he also state at that time that the difficulty was in regard to the proper allegation in this indictment under the law?

Answer. Oh, yes, sir; Mr. Montgomery told me that the jury pretended to divide on that question; not the want of the allegation, but the want of proof of the allegation.

By Mr. POOL :

Question. In your judgment, was there full evidence given of the intent, as required under the act of Congress?

Answer. I think so; if I had been on a jury I would have been compelled to hang my grandfather upon that evidence.

Question. As to the intent?

Answer. I think so.

Question. State the nature of the evidence on that point. Did they tell parties why they whipped them when they were doing it?

Answer. Yes, sir; that it was because they were damned negroes and voting the republican ticket; that they proposed to stop that kind of business; that the white people did not propose to be subject to negroes any longer.

By Mr. VAN TRUMP :

Question. Which of the parties indicted made that statement?

Answer. I cannot give you the names now; I could tell you if I had my minutes here.

By Mr. POOL :

Question. That information was before the grand jury?

Answer. Yes, sir.

Question. And still the grand jury divided upon the question of intent?

Answer. Yes, sir.

By Mr. VAN TRUMP :

Question. Was that fact proved by white men, or was it by negro testimony?

Answer. I think it was both white and colored testimony, but mainly colored, because the colored people, after the first day, were the ones whipped; and they and their relatives and friends, mainly colored, were the parties who came forward and gave their testimony.

By Mr. POOL :

Question. What do you consider to be the general purpose of this Ku-Klux organization?

Answer. That is a very difficult question for me to answer, except in the general way which I have indicated, the way in which their acts point. I think the general purpose of the organization in South Carolina has been to do what they have mainly said when these outrages have been committed: that they did not propose to submit to this negro government and this carpet-bag government. That has been the general declaration in connection with the crimes committed; that is about all I know of it. I have an idea that it is an adjunct of a political party, with a view to effect political results.

Question. Results in other parts of the country?

Answer. I do not know anything about that; they have never let me into their secrets. I think it would be very difficult for me to ascertain that unless I should send a detective to enlist in the organization.

Question. What have been the politics of the victims, generally?

Answer. Always republicans.

Question. Did you ever know an instance where it was otherwise?

Answer. No, sir, unless in the case of Faulkner, who was finally killed by his own friends, or his pretended friends; I do not say his friends killed him.

Question. He was killed because he was about to give information against them?

Answer. Yes, sir.

Question. You were trying to get him to give information, and understood that he would do it?

Answer. Yes, sir; in fact, I had positive information from the commissioner and one of the deputy marshals that if Faulkner could be arrested and taken charge of he would tell us all about the organization in Newberry who went and fired upon Young.

By Mr. VAN TRUMP :

Question. Was that fact made public in any way?

Answer. Oh, no, sir.

Question. That was as much of a secret as any Ku-Klux secret?

Answer. That was our secret in the prosecution. Of course you are aware that the prosecution does not publish its operations.

By Mr. POOL :

Question. You mean that you endeavored to keep it secret?

Answer. I endeavored to keep it secret, and intended to do so.

Question. You do not mean that it was kept secret?

Answer. No, sir.

Question. This man who sold the whisky to the negroes, who was killed by them, was selling it illicitly?

Answer. Yes, sir; without any warrant of law, or any license, or anything else. He was what is called a whisky peddler, coming over from North Carolina. A great traffic is now carried on by these peddlers going over into North Carolina for whisky, where they have not been prosecuted quite so sharply as they have been in South Carolina; they go across there, get the whisky, and then come back across the line and peddle it out.

Question. In violation of the revenue laws?

Answer. Yes, sir; no man can peddle whisky without a license.

Question. He was engaged in that illicit traffic?

Answer. I have understood so.

Question. Did he sell whisky to these negroes?

Answer. I am so informed.

Question. Where?

Answer. In the vicinity where the negroes had been training, or something of the kind. I think it was about Christmas; that is a great holiday with the people in the South.

Question. He made them drunk, and they killed him?

Answer. That is my information, that they got crazy and mad because they could not get all the liquor they wanted when they were partly satisfied.

Question. Did they take his whisky after they had killed him?

Answer. That is my information, that they took it and drank it; however, I would not like to speak positively upon that subject; it is some time since, and I may be mistaken about it.

Question. You think the vengeance taken by these Ku-Klux who committed this act indicated on their part any opposition to the revenue laws?

Answer. I know that the people in that part of the State are very generally engaged in violating the revenue laws.

Question. Are they protected in that violation?

Answer. They attempt to protect each other of course.

Question. I mean those who traffic illegally?

Answer. Yes, sir; combinations are effected.

Question. How is the sense of the community generally there upon that subject?

Answer. In 1867 and 1868 the sense of the community was very much opposed to the execution of the revenue laws, very much indeed; and I had great difficulty in conducting the prosecutions there, owing to the combinations effected to evade them.

Question. Was there any especial opposition to the tax on whisky?

Answer. Yes, sir. The people in the western part of South Carolina have always been engaged in distilling whisky, using small distilleries. It is a part of their business; every farmer had his whisky still, as much as they have a cider-mill in Vermont or New Hampshire, and the revenue law came down heavy on that class of business. Of course, no man could afford to keep a still, give bonds, make his returns, keep his meters, and generally comply with all the requirements of the revenue laws; no man could do it with a small still. Hence, it had to be an illicit distilling. In 1867 and 1868 they pretty generally determined to defy the law. I have no doubt that during 1867, 1868, and 1869 I obtained at the Greenville court, in the western district, one hundred and fifty or two hundred indictments for illicit distilling, and at successive terms of the court upon the same persons.

Question. There seems to be in that section an especial opposition to the revenue law in regard to whisky?

Answer. Yes, sir.

By Mr. BLAIR:

Question. Is there not a great deal of opposition to it everywhere?

Answer. I have heard of difficulties even in New York.

Question. You think that the law has been evaded and a great many frauds committed in all parts of the country?

Answer. Of course I can only speak with any certainty in reference to my own State. The western portion of the State has been very much worse than the lower portion, because that is a corn-growing region.

Question. I speak of violations of the revenue law generally throughout the country.

Answer. I have heard of the same difficulties in North Carolina, Tennessee, and Kentucky.

Question. You might even go beyond Kentucky, into Ohio.

Answer. Very likely

Question. And a great deal of fraud in connection with the whisky tax even here in Washington; some little in the departments of the Government?

Answer. I cannot speak about that. The frauds are of that kind that they could not have been carried out except by connivance.

By the CHAIRMAN:

Question. You say you obtained one hundred and fifty indictments in Greenville?

Answer. I have no doubt I have obtained, within the last two years, two hundred indictments.

Question. How many were tried?

Answer. I think there were about sixty tried at the last term of the court at Greenville, in August.

Question. Were they convicted or acquitted?

Answer. My recollection is that there were thirty-nine or forty convictions.

Question. Were any of these Ku-Klux outrages traceable to that cause?

Answer. No, sir; I do not think so; I do not know of any.

Question. Have they any connection with the enforcement of the revenue laws?

Answer. Not that I am aware of. There has been but little or no difficulty of that sort in the county of Greenville. The jurors selected from that county have generally been very fair and very just in the trial of offenses against the revenue laws.

By Mr. VAN TRUMP:

Question. You have enumerated the counties where these troubles exist. How many counties are there in the entire State of South Carolina?

Answer. Thirty-two.

Question. From what State did you emigrate to South Carolina?

Answer. I went to South Carolina from Vermont; I went there with my sword, and remained there after the country was conquered.

By the CHAIRMAN:

Question. Did the resistance to the revenue laws there arise principally because of the state of facts you have given, that they bore hardly upon those who had been in the habit of private distillation?

Answer. I think so.

Question. There was no organization that you were aware of for the purpose of resisting the revenue laws of the United States?

Answer. No, sir; except there might have been little parties up in the mountains; I have heard once or twice that there were; but they consisted of very few individuals, of two or three families, and were mainly to screen and hide each other, rather than to fight.

By Mr. STEVENSON:

Question. In speaking of the corruption in the legislature of South Carolina, do you mean to say that it is confined exclusively to members of either one of the parties?

Answer. No, sir; it was as much in the democratic ranks in the legislature as it was in the republican ranks, except that there were more republicans than there were democrats. That is my honest belief, though I desire to say I know nothing about it as a matter of fact.

By Mr. BECK:

Question. What is the relative proportion of the two parties in the legislature?

Answer. In the senate, I think there were eight democrats, or reformers, as they were called, and the balance were republicans; the senate consists of thirty-two members. The house is composed of one hundred and twenty-four members, and my recollection is that there were about thirty democratic members of the house—about that number, I will not be positive—and the balance were republicans.

Question. Did those men who were elected to the legislature as democrats run at the same time and upon the same ticket with Mr. Carpenter?

Answer. Yes, sir.

Question. By what name did they call themselves?

Answer. Reformers.

Question. Were they all classed as democrats who ran upon that ticket?

Answer. Pretty much so; it was the same party under a different name.

By Mr. STEVENSON:

Question. Do you remember what was the result of the vote in Laurens County, in 1865, for and against the constitution?

Answer. I do not; I was not in the State at that time. I may have read the fact, but it is out of my mind now.

Question. Do you remember generally whether that is a republican or democratic county?

Answer. It is undoubtedly a democratic county, and I think has always been such; it was even in 1868, at the time of the adoption of the State constitution.

Question. Laurens County?

Answer. I think so; there was a majority of republicans there, but there was some intimidation, so it has been charged, I think with more or less truth.

Question. It was carried by about eight hundred votes in 1868?

Answer. By the democrats?

Question. By Seymour?

Answer. Yes, sir.

Question. In 1870 it was carried by the republicans?

Answer. Yes, sir.

Question. By a majority of about one thousand?

Answer. I really do not remember what was the vote.

Question. The vote recorded in the Tribune Almanac is, for Scott, the republican candidate for governor, 3,022; and for Carpenter, the democratic candidate, 1,967.

Answer. I presume that is correct.

Question. You say it was alleged that there was intimidation there in 1868?

Answer. Yes, sir; that was very generally understood, and it was believed by me, from what information I had; I had no personal knowledge.

Question. You mean intimidation by whites against the colored voters?

Answer. Yes, sir.

Question. You say the colored vote came out pretty full in 1870?

Answer. In 1870 it was all brought out.

Question. And a few days after the election there was some discussion on the subject, between men of different parties, and this riot sprang up?

Answer. Yes, sir.

Question. And your understanding was that it grew out of the provocation on the part of the whites because they had lost the county?

Answer. Yes, sir; a feeling of chagrin and anger. Well, I think that they have alleged that the republicans were guilty of frauds in the elections, and all that; I have heard such charges; I know they are very freely made in the newspapers; what truth there was in them I have no means of knowing.

By Mr. BLAIR:

Question. What is the machinery of election there?

Answer. At the last election it was a very miserable machinery. Do you wish me to state the details of the law?

Question. Yes, sir.

Answer. The last legislature but one passed a general law.

Mr. POLAND. Is there not a shorter way to get at the law than by asking the witness to state his recollection of it?

Mr. BLAIR. I would like to hear from the witness how it worked.

The WITNESS. The machinery was briefly this: three commissioners were appointed for each county by the governor; those three commissioners appointed managers in the several precincts in the county, and were to furnish those managers with ballot-boxes locked and sealed, except an aperture through which to deposit the votes in the box. The managers were to receive the votes on the day of election, keep a poll-list, and return the poll-list and the box to the commissioners of election, who were to count the votes; they were to do that within three days after the election; they had three days within which to return the boxes and poll-lists.

By Mr. BLAIR:

Question. To the commissioners?

Answer. Yes, sir; and then the commissioners were required by law, within ten days, to canvass the vote and make return to the State board of canvassers; and the State board was to canvass the result and declare it.

Question. General Scott, the governor, who had the appointment of the commissioners, was himself a candidate for reelection as governor, was he not?

Answer. Certainly.

Question. Therefore he had it in his power to appoint every person who had anything in the State to do with receiving and counting the votes?

Answer. All but the managers; he appointed the commissioners only.

Question. Well, the commissioners appointed the managers?

Answer. Certainly.

Question. Therefore he had the control, directly or indirectly, of every person in the State who had anything to do with counting the votes by which he was to be either reelected or defeated? I understand that to be the state of the case.

Answer. Yes, sir; there is no doubt about it. But the great difficulty under that election law and the working of it arose simply from the dishonesty of the managers or commissioners; that is where the frauds were committed, if they were committed at all.

Question. Did not the law itself contemplate that very thing; does it not give the opportunity?

Answer. Of course, every one in office has the opportunity to commit rascalities and frauds. If every officer had been honest the election returns would have been as correct under that law as under any law. Still, you can see what the opportunities were; the managers had the boxes at their precincts, remote from the county seat, and having received the votes, they sealed up their boxes as they were required. Some of them had to carry them thirty and forty and fifty miles to the county seat, to deliver them to the commissioners. If they chose to knock out the bottom and put in other votes, or to change those that were in there, they had the opportunity to do it. And after the boxes were received by the commissioners, they had the same opportunity to commit frauds, because the boxes were in their custody for ten days. Some very glaring frauds were doubtless committed in some of the lower counties. At the very last term of the court I convicted three parties in Beaufort County for abstracting ballots that had been cast by the voters at the election and substituting others for them, and also for erasing the names of some of the candidates upon the ballots cast and substituting others therefor. After a very deliberate trial, that extended over three weeks, the first trial resulted in a mistrial; but on the second trial we convicted them on all the counts against them.

By the CHAIRMAN:

Question. Was that under the enforcement act?

Answer. Yes, sir; they are now in jail under sentence of two years' imprisonment.

By Mr. BLAIR:

Question. Were any of the commissioners appointed for these counties members of the other party in opposition to the republican party?

Answer. I never heard of one during the last election; there might have been one.

Question. They were all of one stripe?

Answer. They were all of one party. I have no doubt of it. It is a matter I regret exceedingly, but the truth must be told, and ought to be told.

By Mr. STEVENSON:

Question. Did these frauds in Beaufort County affect the general ticket, or only the congressional election between Bowen and DeLarge?

Answer. All the information we got was with reference to the congressional election.

Question. It might appear whether it affected the whole ticket?

Answer. I think it did; especially under one count of the indictment, which alleged that at a certain precinct the ballots cast by the voters were abstracted and others substituted for them. Of course that involved a change in regard to all the candidates, for all their names were on one ticket.

Question. You remember in regard to one particular precinct?

Answer. That was one count in the indictment.

Question. I see by the returns that while the democratic ticket in that county generally received only 999 votes, Mr. DeLarge received 5,331 votes, and Mr. Bowen 1,188.

Answer. That is the report.

Question. And the general republican ticket received 6,142 votes.

Answer. Yes, sir.

Question. I infer, then, that the contest was specially between those two.

Answer. Certainly; there was a very fierce contest between Mr. DeLarge, now a member of the House, and Mr. Bowen.

Question. Did you understand whether it appeared that the principal fraud was in connection with the contest between those two, or was it in regard to State officers also?

Answer. That was the great contest. There was some little fight about local officers, but it did not amount to much. The most outrageous frauds, no doubt, were committed in favor of Mr. DeLarge.

Question. The republicans carried that county by a sweeping majority?

Answer. Certainly.

By Mr. BLAIR:

Question. Does that county include all the sea islands?

Answer. Yes, sir.

Question. It is a negro colony got together under the Bureau during the war?

Answer. It is a negro county.

By Mr. STEVENSON:

Question. What I want to get at, in regard to Beaufort County, is, that there was no motive for the commission of fraud on the part of republicans in order to carry the county for the republican ticket?

Answer. O, no, sir; the county is five to one republican.

Question. The motive, as you understand it, for these frauds, was to carry the county on the congressional ticket?

Answer. Yes, sir. The truth about the whole thing is simply this: Governor Scott was a very bitter enemy of Mr. Bowen, and he united with Mr. DeLarge, and made the appointment with reference to that contest. They were all DeLarge men who were appointed throughout that district. I do not remember of but one man who, according to the testimony, appeared as being in favor of Mr. Bowen, and that was a mistake, as the other party swore; they did not design to appoint him.

Question. You have prosecuted these cases in the United States court and convicted the parties?

Answer. Yes, sir.

Question. In that particular instance it turned out that the act of Congress was of good service?

Answer. Undoubtedly.

Question. There might have been some way of punishing them in that county under the State law?

Answer. Very likely. The cases were taken out of that county to Charleston to be tried, a distance of some seventy-five or a hundred miles from the seat of the frauds, and where they did not have a chance to get their friends on the jury. They were tried by a strictly impartial jury away from home.

By Mr. VAN TRUMP:

Question. Will you give us a brief account of the administration of the land commission in South Carolina, for which an appropriation of \$700,000 was made by the legislature for the purpose of purchasing lands for settlers; what is the state of affairs about that business?

Answer. I think it is about as bad as it could well be. The theory of that matter was this: It was a scheme that originated away back in the convention which framed the constitution, but it never got the breath of life breathed into it until about the second term of the legislature.

Question. You mean the constitution made since the war?

Answer. Yes, sir; the ostensible ground, and the real ground, if there was any, for the adoption of that measure was this: The old planters, the land-holders of South Carolina, declined to sell their lands in small parcels to the colored people, who were encouraged to buy lands and secure themselves homes. If they were disposed to sell at all they would sell their whole tracts; they would not cut them up; and the colored people were not able to buy in that way. So a scheme was concocted by some persons to purchase, by the State, lands at the lowest price at sheriff's sales and other sales, and then sell them out in small parcels to the colored people.

Question. What has been the effect of that?

Answer. The effect upon the State finances, I think, has been very bad.

Question. What is charged in reference to it?

Answer. It is charged in reference to it that certain State officers and county officers, &c., have purchased lands at very low figures and sold them to the State at very high figures, and very poor lands.

Question. Is it also understood that there has been a combination between officers and vendors to divide the excess of the charge to the State?

Answer. It has been so reported, and was so charged. Of course, it is a matter that can never be fully understood until each individual case has been examined. But I have no doubt whatever that has been done in a great many cases.

By Mr. STEVENSON:

Question. That charge implicates the white land-owners who have sold, as well as the officers who have bought.

Answer. Yes, sir; I have no doubt they were all in it.

By Mr. BLAIR:

Question. In what respect could they be implicated; they sold for the price that was paid them?

Answer. They are charged in that connection with having made out their bills at a great deal higher price than they received. For instance, it may be in this way: A man might agree to charge his land to the State for \$10 an acre, and then receive \$5 an acre.

By Mr. STEVENSON:

Question. He taking half the difference, and the officer the other?

Answer. Something in that way; still I am only speaking generally now.

By Mr. BLAIR:

Question. You stated that in the contested district of Bowen and DeLarge all the men appointed by the governor were in the DeLarge interest.

Answer. There is no doubt of that; nobody in South Carolina has ever doubted it; it was charged very freely, and proven.

Question. Appointed with a view to perpetrate these frauds?

Answer. Of course, I would not say that the governor appointed these men with the intent that they should commit the frauds that were committed; but he appointed strong partisan friends of Mr. DeLarge, and took good care to see that his appointees were good friends of DeLarge.

Question. There would be no particular object in having strong partisan friends if they were to act fairly and honestly?

Answer. I would not undertake to go down into the governor's conscience in this matter; that is a sealed book to me.

Question. You say that it was charged that some frauds were committed in Laurens county, and that was one of the reasons for the trouble after the election of 1870; that it was charged that frauds were committed there under your election law?

Answer. It was so charged in the newspapers. I saw it at the time, given as a justification, or as an excuse that the commissioners of election had not counted the votes correctly; that the people did not believe in the result announced.

Question. It seems that the majority in the county was about reversed; that is to say, in the first election Mr. Seymour received a majority of 800 votes in the county in 1868, while in this last election the radicals or republicans had a majority of about 1,100.

Answer. I believe that is about it.

Question. And that, too, in a very small vote; the whole vote not being over 3,000, I think.

Answer. It was more than that.

Mr. POLAND. It was 5,000.

Mr. BLAIR. Well, the whole vote being 5,000 in 1870, what was the whole vote in 1868?

Mr. STEVENSON. It was about 3,000 in 1868.

By Mr. STEVENSON:

Question. Are you not aware that that county went for the rejection of the constitution?

Answer. I think it did in 1865; I think the county sustained the constitution under the new reconstruction acts.

Question. It went for it by about 700?

Answer. I think so.

By Mr. BLAIR:

Question. At the last election on the constitution, was not nearly the entire white population disfranchised by the act of Congress, and not allowed to vote at all?

Answer. I do not think the disfranchisement covered a very large portion of the white people of that county; many of them were not of the class who were disfranchised; many of them had not held office, and afterward joined the rebellion, so as to come within the terms of the act. In fact, I understood that they construed the act very liberally there, and that pretty much all voted.

By Mr. STEVENSON:

Question. There is a large colored majority in the county?

Answer. I have always understood that the colored people were in the majority in that county, and if they had a free expression of opinion, would always be able to carry the election. I have understood so; it may be that the colored people, with the few white people who are republicans, could carry the county.

Question. When you stated that it was a democratic county, you drew your inference from the election of 1868?

Answer. Yes, sir, and of 1865.

By Mr. COBURN:

Question. Some question was asked you as to what connection Union Leagues and militia companies have in South Carolina. If there is any connection between them I wish you would state it.

Answer. I know of no connection whatever. It is to be presumed, of course, that among all the members of the leagues were also members of military companies. But I have never known any direct relation between the two, or that one was especially made up from the other.

WASHINGTON, D. C., June 14, 1871.

REUBEN TOMLINSON affirmed and examined.

By the CHAIRMAN:

Question. Do you hold any official position in South Carolina?

Answer. No, sir; not at present.

Question. In what part of the State do you live?

Answer. In Charleston.

Question. In your travels through the State, or in your intercourse with the people of the State, have you obtained any such information in regard to its condition as to enable you to testify how far the laws are efficiently executed, and how far life and property are secure in the State?

Answer. Probably I ought to say that I have held official position in the State.

Question. What was it?

Answer. I was auditor of the State from the 1st of October, 1868, until about the 10th of last March, when I resigned.

Question. Go on now and give us whatever information you have that will throw any light upon the questions of how far the laws are efficiently executed, and how far life and property are secure in the State.

Answer. I suppose I may be allowed to state it in my own way.

Question. Certainly; pursue your own method, confining your answer to facts that come under your observation.

Answer. In regard to the details of facts of course I could say nothing about it at all, because I was not connected with that department of the Government; but my conviction is, that in the upper counties of the State, with the exception of certain portions, during the last three years, it has been almost impossible to execute the law where political interests generally were involved. With the exception of Greenville, Anderson, and Pickens Counties, and the county of Oconee, of the upper tier of counties in South Carolina, I think it has been almost impossible where offenses against the law have occurred, growing out of political feeling, to execute the law. When murders have been committed, it has been almost impossible to secure arrests, or to secure convictions after arrests have been made, where there was any opportunity to raise the question as between the colored and white classes of the community. Of course that feeling has grown up to a great extent from the impression that prevails among the white people in the upper part of the State, that they were to be overridden by the negroes. And whenever a murder has been committed, and the victim has been a negro, it has been almost impossible to secure—I do not know of a single instance where they have secured—a conviction in the upper counties; the white men have felt that they must stand by their class; and to a great extent it has been the same way when outrages have been committed upon white men, and the case has been tried before colored juries; in those cases conviction could not be had. It all grows out of the desperate condition of things in that part of the country. In fact, in those upper counties the whites are very largely in the majority, or the whites and blacks are so evenly divided that the whites having the intelligence can control. In the lower counties of the State, where the blacks have the majority, there has been little difficulty; probably there white people have the most cause to complain, so far as petty theft, &c., is concerned. But where graver charges, murder, and whippings take place, as they do in the upper tier of the counties in the State, it has been almost impossible to enforce the law, so far as my knowledge extends.

Question. To what extent have offenses of that character, either of whites against the blacks, or blacks against the whites, occurred in the State?

Answer. That is a statement I should feel very cautious about making, because I have to depend entirely upon my general impression. I have no data with me to refer to, but the number of outrages committed upon the colored people in the upper tier of counties is immense; it is impossible to characterize it too strongly. I have been a great deal in the upper part of the State—a great deal.

Question. Traveled through it?

Answer. Yes, sir. In the campaign of 1868 I took a very active part, and it was made my business to go through the upper tier of counties and speak there. I never expected that I was myself in any personal danger. I did not understand that I was. I have been recently informed that I was, but I did not know it at the time. But I know a great deal of that upper portion of the State. I have been in it more than in any other part of the State, I suppose, since the new government has been put in operation in the State. My impression is, I would be very cautious in any statement of the kind I should make, that it is next to impossible to secure the conviction of a white man in either Spartanburg, Union, York, Chester, Laurens, or Newberry Counties, who has committed an outrage of any kind upon a colored man.

Question. At the time you speak of, in 1868, had there been any disturbance of the public peace by disguised bands of men in South Carolina?

Answer. I do not think that the Ku-Klux, as we call them down there, had taken shape in 1868. There were depredations by men who were reported to be in disguise, but I do not think there was any thorough organization in 1868.

Question. Of what class of offenses have you been speaking as having occurred in 1868?

Answer. In 1868, and from that time forward, but more particularly during the last few months, from six to nine months—

Question. Have you traveled through that region of the State within that period?

Answer. I have not been in Spartanburg; I have been up to Greenville two or three

times. Last summer, during the gubernatorial campaign, I was frequently in that region of country.

Question. Did you find then the same state of things existing as you have described?

Answer. All during the campaign last summer everything was very quiet indeed, but immediately on the close of the campaign these occurrences broke out.

Question. Were there any occurrences of the kind during the campaign?

Answer. I do not remember any.

Question. They commenced after the election was over?

Answer. Yes, sir.

Question. To what extent did this other state of affairs spoken of prevail in other parts of the State, where depredations were committed on the white population by the negroes?

Answer. I think they were very slight and of a petty character; they were very annoying, and, under the circumstances, calculated to stir up a great deal of strife. They were of a petty character—stealing, thieving, &c. It is the universal complaint in the low country, and, I think, justified to some extent, that there is a great deal of petty stealing there. I should say that on the coast the negroes are about ten to one as compared with the whites. Everybody is poor, and there is a great deal of petty stealing, hog stealing, chicken stealing, &c.; and in the state of society there it tends to aggravate them very much.

Question. To what extent is the law enforced in that section of the State?

Answer. It is meant to be enforced just as fully as possible; but the officers of the law in the lower tier of counties are not good ones.

By Mr. VAN TRUMP:

Question. Are they colored men?

Answer. I should say they were not, generally. In the city of Charleston we have pretty fair magistrates; they are all appointed by the governor. In the country districts the magistrates are not so good; and it is their ignorance and inefficiency, generally, that produces the state of things there.

Question. How are juries made up when negroes are tried?

Answer. They are made up by boards of commissioners.

Question. Mostly colored men?

Answer. No, sir; they have a way of selecting them. If the board of commissioners choose to do so, they can limit the number of colored men.

Question. What is the number?

Answer. I suppose that in these lower counties the juries are about half and half, black and white.

By the CHAIRMAN:

Question. What is the practical result in the administration of justice against the negroes who commit these depredations upon the white people?

Answer. In the last six months there has been a very great improvement; that is to say, along the lower tier of counties the juries have convicted pretty thoroughly in the cases that have come before them. But for the six months past—I make this statement in regard to the charges against the Ku-Klux, simply because I do not wish to appear one-sided in my statement—that is one ground of complaint. I do not think it is a matter of very great consequence, and it will correct itself in time. It is not based upon any disposition on the part of the negroes to commit depredations upon white men as white men; they would steal from their own race as soon as from white men if they had anything they could steal.

Question. Have there been any acts of outrage committed by organized bands and in disguise in the southern part of the State?

Answer. The most southern county in which anything has occurred of the kind is the county of Clarendon, which lies from forty to sixty miles from the coast. It is the adjoining county to Charleston on one side, and adjoins Williamsburg, Darlington, Sumter, and Orangeburg. It is rather remarkable that it should have occurred down there. If my memory serves me, one of the county commissioners, or one of the magistrates of the county, I do not remember which it was, was killed about six weeks ago.

By Mr. POOL:

Question. Killed by whom?

Answer. By an organized party, night raiders.

Question. In disguise?

Answer. Yes, sir. It is charged by the local papers that the man who was killed was a bad character, &c. I am not able to say how that is, for that matter has not been fully investigated.

By the CHAIRMAN:

Question. Is there freedom for the expression of political opinion in the northern part of the State, where these outrages occur?

Answer. There was during the most of the campaign; I do not think there is now.

Question. How did you derive that information?

Answer. The general information I have received is this: about a month ago an old man in Spartanburg County was made to go down to the court-house and publicly recant his republican principles, under the threat of having his life taken. I am free to say that if there was a political campaign now going on in the State, I should not feel the same liberty to go up there in the country and speak as I did six months or a year ago.

Question. Has that state of things arisen because of the operations of these organized bands of men?

Answer. I think it has. I think since the last election there has been the worst state of feeling I have known in the State since I have been there; and I have been in the State ever since the close of the war. There is a more dangerous and unsettled state of feeling, in the upper part of the State particularly, than I ever before found there.

Question. Is it your opinion, then, that where life has been taken, or personal injury inflicted, in these northern counties which you have named, redress cannot be obtained in the State tribunals?

Answer. I think that is so as a matter of fact at present. I am not prepared to say, however, that if there had been a vigorous administration of State affairs, there might not have been redress obtained.

Question. What is your belief as to the efficacy of the law of Congress recently passed for the purpose of bringing offenders of that class to justice?

Answer. I am scarcely lawyer enough to decide that question. I confess I have had some want of faith as to the efficacy of that law; I do not know that there is any law that can better things in South Carolina.

Question. I am asking you what the operation of the law has been.

Answer. I think the effect of the President's proclamation under that law has been good. There has been only one case of outrage that I know of since that proclamation was made; that occurred at Newberry, about two or three weeks or a month ago. A party of men came into the town of Newberry and made an attack upon the chairman of the board of county commissioners in the county, at his house, at night.

Question. Do you mean the case of Young?

Answer. Yes, sir; and a man named Faulkner was shot at the time.

By Mr. BLAIR:

Question. What conceivable difference can there be in the trial of a case in the United States court and in the State courts, if officers and jurors are disposed to do what is right?

Answer. I do not know whether there is a real difference or not. I should suppose there might be this difference: the United States jurors are drawn from various portions of the State, if I am correctly informed, either by the marshal or the clerk of the United States court; and, if I understand it correctly, they have a discriminating power that the jury commissioners of the State might not have; and being more independent of the people of the State, they might probably be less disposed to pander to the prejudices and feelings of the people of the State than would the State officers or the jury commissioners in the different localities; but I do not know that that is so.

Question. As I understand, the State officers are men belonging to the dominant party?

Answer. Yes.

Question. And unless it is the purpose to pack the jury, a fair jury can be drawn; and I cannot see what difference there is between a trial in the one court and in the other.

Answer. It may be that there will be no difference, but I am not sure about that. For instance, a jury commissioner in Spartanburg County is appointed by the governor, and the county commissioners of the county are *ex-officio* members of the board of jury commissioners. One commissioner is appointed by the governor; the board of county commissioners are elected by the people; and in Spartanburg County the county commissioners are of the opposition party.

By Mr. STEVENSON:

Question. How many county commissioners are there?

Answer. Three; and my impression is that the county commissioners for Union County are now of the opposing party, unless they have been appointed by the governor under a law authorizing him to fill vacancies, because all the commissioners were ordered to resign, and did resign.

By Mr. VAN TRUMP:

Question. Ordered by whom?

Answer. By the people of the county; they received intimations to resign.

By Mr. BLAIR :

Question. And in that case the governor would have the power to appoint ?

Answer. Yes, sir ; but he could not get anybody to serve in those counties unless they were in sympathy with the opposition party, for they would be afraid to serve there. But, as I said before, I do not know that the drawing of jurors would work any better in South Carolina under this law of Congress than under the State law ; I do not think that it will at all ; it is an experiment.

By Mr. BECK :

Question. Have you been in any of the western and northern counties you speak of since the election last year ?

Answer. My impression is that I have been at Greenville once since the election of last year, though I cannot be certain about that. I have not been in any of the other counties, because there was nothing to take me there except the campaign.

Question. During the campaign all was quiet and orderly ?

Answer. Yes, sir : during last year's campaign.

Question. Since that time you have not been there ?

Answer. No, sir.

Question. Therefore your information as to their condition is derived from other people, and not based upon any knowledge of your own ?

Answer. Certainly ; impressions I have derived from the public prints, and from conversation with the people from that part of the country.

Question. Not from persons who have been making any official reports to you ?

Answer. No, sir.

Question. It was not your business to collect the information in any form. It is simply an impression derived from rumor, and from what you have seen in the papers ?

Answer. Certainly ; it is my conviction as to the state of things there, based upon public and private information.

By Mr. BLAIR :

Question. What is the use of holding an election in your State under the present law ; could they not just as well cipher out the result beforehand as to vote under your present law ?

Answer. I do not know whether they could or not.

Question. You know what the law is ?

Answer. Oh, yes.

By Mr. VAN TRUMP :

Question. The increase of the difficulties since the election is upon the ground that there were great frauds committed in that election by the republican party ?

Answer. The ostensible ground upon which all these outrages are justified is the corruption of the State government, and the infamous character of the election law, &c. If I am at liberty to speak with regard to that matter, I would like to say something, generally, upon that subject, because I do not think my testimony will do justice to myself unless I am allowed a little latitude to express my opinion in regard to the matter.

Mr. BLAIR I do not know that there is any objection to that.

Answer. I would like to say that I believe these outrages in South Carolina were inevitable ; they would have occurred had our government been infinitely better in its character than it is ; they would have occurred anyhow, to some extent. They did occur at the very inception of the government, before it was known at all what kind of a government we were going to have. Our government in 1868 was denounced by all the leading men of the State ; it was announced that it would never be acquiesced in, and that it would be overthrown.

By Mr. VAN TRUMP :

Question. What leading men made that remark ?

Answer. Well, in public addresses in the city of Charleston, men like James Connor, M. P. O'Connor, General Wade Hampton, Governor Perry, General M. C. Butler, J. B. Kershaw —

By Mr. STEVENSON :

Question. The same man who recently wrote a letter to the governor ?

Answer. The same gentleman ; General Chesnut, &c.—almost every gentlemen who spoke in South Carolina in 1868, upon the opposite side of the question, took the ground that they never would acquiesce in that government as a government ; that it was to be overthrown ; that it was unconstitutional, and the people never would submit to it.

Question. Did that opposition extend to the whole reconstruction policy ?

Answer. It covered the whole ground. I make this statement simply to lead up to

what I wish to say. Our government came into existence under these circumstances. We had to take just what material we could get, and use it as we could best use it. These men refused to have anything to do with it.

By Mr. VAN TRUMP:

Question. What do you mean by "we;" the few northern men down there?

Answer. I mean the republicans; the few northern men, the native republicans, and the colored men. We had to take such material as we could get and use it for the best purpose we could. These men refused to have anything to do with us; they refused to help us either silently by keeping quiet, or actively by assisting us in any way. Now, our government, I am free to admit—and I admit it with a great deal of humiliation—is a great failure in South Carolina compared with what it ought to have been. And as a result of that failure—as a result of the dishonesty that characterized it to some extent, and of the inefficiency that has characterized it to a great extent—these men have found a pretext upon which to justify the outrages that have occurred during the last six or nine months. After having said that they never would support this government, never would have anything to do with it, they now say that if we had built up a decent government, if we had had all honest, efficient men, they would have supported it, and everything would have gone on lovely, and we never would have had any of these troubles in the State.

Question. When these men made these statements there were indications what the government was to be?

Answer. There were indications what the government would be as far as its political character was concerned; but I do not think there were at that time any indications that our government would have proved so dishonest as it has; I refer to the government generally, not to any particular branch of it.

By Mr. BECK:

Question. Has your taxation grown immensely within the last few years?

Answer. I do not think it has; I do not know that it has been any larger than might have been expected under the circumstances. In my judgment, that is not the trouble. It was my misfortune to have that branch of the government in my hands, administering the tax laws, &c., and although there has been a great deal of money squandered uselessly by the government, all that would not have increased the taxation so largely as has been the case, had it not been for the very heavy burdens of the government in the shape of old debts, and the great depreciation of the taxable property of the State. In 1860, the taxable property of South Carolina was over \$400,000,000, according to their own assessments, including the slaves; and the assessed value of its real property in 1860 was only about \$15,000,000.

By the CHAIRMAN:

Question. I think we have all these facts in documents.

Answer. Probably you have. The question of taxation is a pretext; the cry made about the existing taxation, in my judgment, is, to a great extent, a mere pretext. But the white people and black people of the State have solid ground of complaint against the character of the government, but that ground of complaint is no justification of the violence in the State. I started out with saying that I believe these things would have been inevitable. I think after passing through such a revolution as the South passed through, with such a total change in its social condition, it was inevitable that outrages of one kind or another should occur in the State.

By Mr. VAN TRUMP:

Question. You do not think it wise to force negro suffrage and negro rule upon South Carolina?

Answer. I am not discussing that.

Question. What is your opinion?

Answer. I do not think that has been the cause of these outrages.

Question. I asked you if it was wise to force it upon the people?

Answer. I was an advocate of negro suffrage simply as a question of expediency.

By Mr. STEVENSON:

Question. And resistance to negro suffrage is the cause of the violence in your State?

Answer. I think not so much to negro suffrage as to the results of negro suffrage. If the white men of South Carolina could have had the good sense to have taken hold of this matter themselves, in 1867 and 1868, negro suffrage would have given them all they wanted.

By Mr. VAN TRUMP:

Question. In other words, you think you republicans would have been nowhere there?

Answer. I have told the people on the stump, time and time again, that if they had taken hold of it in 1867 and 1868, no carpet-bagger, as they call it, could have had a foothold in the State.

Question. Why did you go there ; to prevent it ?

Answer. I did not go there ; I was there.

Question. You went there when ?

Answer. In 1862.

Question. To reside there ?

Answer. No, sir ; I did not go there to reside until 1868.

Question. When were you appointed auditor ?

Answer. In 1868.

Question. When you first became a resident ?

Answer. I was a government employé there, and never could have had a residence there until then.

Question. You were elected in 1868 ?

Answer. I was appointed by the governor.

By Mr. BECK :

Question. If taxation is not at the bottom of the difficulties—you say there would have been no trouble if white men had taken hold of the matter—and results other than taxation have caused the troubles, will you state what are the other things ?

Answer. You have misunderstood me. The question was asked me about negro suffrage being forced upon them. It was in reference to that that I stated it was the results of negro suffrage rather than negro suffrage itself.

Question. What are those results ?

Answer. That the State is governed principally by the negroes.

Question. What sort of government is it that they complain of ; is it the taxation, the stealing, the plunder, or what is it ?

Answer. They say it is plunder ; that it is stealing ; that it is taxation.

Question. What do you say about it ?

Answer. I say that, to a great extent, it is simply because it is a government controlled mainly by the negroes.

By Mr. VAN TRUMP :

Question. In other words, you think there would be no more objections than now if the government was wisely administered by the negroes ?

Answer. There would be just the same objection on the part of the majority of the white people of the State. But I think also if the government had been wisely and fairly and efficiently administered, there would have been a class of men in the State who would have been strengthened in their determination to support the government—a class of white men who would have come over to us.

Question. All this is a theory of yours ?

Answer. I am giving my opinion only ; and I only give the opinion in order to justify what I had said in the outset.

By Mr. POOL :

Question. I do not understand you when you say this state of things was inevitable. Suppose the white men in 1868 had taken hold, as you say, would it have been inevitable then ?

Answer. No, sir ; I said it was inevitable because the white men refused to have anything to do with it.

Question. Set themselves against the reconstruction policy of Congress ?

Answer. Yes, sir ; and I think it was inevitable that they should set themselves against that policy.

Question. Why ?

Answer. Because they did not seem to have wisdom enough to take a step forward at the right time ; they take their steps forward a day or two after it is too late.

By Mr. STEVENSON :

Question. I understand you then to say that within the last six months or so there has been an improvement in the general condition of things and in the administration of justice in the State ?

Answer. That is my impression.

Question. In what are called the negro counties of the State ?

Answer. Yes, sir.

Question. The condition is improving ?

Answer. Yes, sir.

Question. But there has been a condition growing worse in the upper counties, where the whites are in the majority ?

Answer. Yes, sir, referring to the counties I have named.

Question. Now, in reference to what took place in 1868 ; you were then auditor during the presidential canvass of 1868 ?

Answer. I had not then been appointed.

Question. Were you in Charleston ?

Answer. I was in Columbia, the State capital.

Question. You spoke of the expression of purpose on the part of the democratic leaders not to accept the State government then about to be formed, and not to accept reconstruction; you also spoke of their expressing the opinion in their public speeches that it was unconstitutional and would not be carried out. So far as you know, from general information or otherwise, were any steps taken to carry out that purpose of theirs; were any arms received into the State—any general arming of the people of the State?

Answer. I do not know that there was; I was informed that there was, but I do not know that it is so. It was the opinion of the State government that arms had been sent into the State at that time.

Question. Of what character?

Answer. Winchester rifles; and it was stated at the time, and I believe it was the opinion of the executive of the State, that they were stored for some little time in the university building at Columbia.

Question. Under whose control was that?

Answer. Practically under the control of the State. They were removed immediately. It was claimed at the time that those arms in the university building were the private property of Colonel Haskell, one of the professors in the university at that time; that he was simply an agent for the sale of those arms; that it was a private speculation. It may be so.

Question. Why do you call him colonel?

Answer. He had been a colonel in the confederate army.

Question. Was he regarded as a democrat?

Answer. Yes, sir, though he took no part in politics at all that I know.

Question. What was the character of the violence in 1868 which you mentioned? You say this organization had not taken form then, but that there was violence at that time.

Answer. It may be in the memory of some of the committee that, in October, 1868, there were two or three murders in Abbeville County, a county now perfectly quiet. I went up on the train the same day that Randolph, a colored man, and a republican speaker, was shot. Mr. Martin, a white member of the legislature, of Abbeville County, a very inoffensive man, a very excellent man, admitted to be so by all his neighbors, was also murdered on his way home from the legislature in 1868. And a man in Newberry also was murdered. All these murders took place in about two weeks. I think they were the result of concerted action, not spreading all over the State, but local in its character.

Question. Randolph was shot on the platform of the train?

Answer. Yes, sir.

Question. Were you on the train at the time?

Answer. No, sir; he was killed the day after I went up.

Question. Did you afterward see the man who shot him?

Answer. I never saw him. He was in the penitentiary in Columbia for some time; he finally escaped, and in an attempt to recapture him in Abbeville County he was killed.

Question. Did he not testify that he shot Randolph under instructions of the democratic club?

Answer. I know that that statement was published; I do not know it myself; I cannot state it as a matter of evidence; I have no doubt that it was so.

Question. What I want to know is, whether there was a prevalence of violence during that election, at the polls, and prior to the election.

Answer. There was no election in Edgefield County, practically none in Abbeville, none in Newberry or Laurens Counties.

Question. What prevented it?

Answer. Violence, or threats of violence.

Question. In what form?

Answer. In Newberry there were a few precincts where the polls were opened, but all the rest of the precincts were picketed, and negroes prevented from going to the polls.

By Mr. COBURN:

Question. Have you any reason to believe that there is a Ku-Klux organization in South Carolina? If so, state what is your opinion.

Answer. I have no doubt that it is so. I have no other ground for believing it than the commission of these outrages and the systematic manner in which they occur.

Question. Speaking of the effect of the law of the United States, and trials under it, as compared with trials under State laws, are you aware of the fact that there is a juror's oath provided in the United States law?

Answer. No, sir, I do not know anything about the details; I am very ignorant of them. The statements I have made with regard to my conviction that the law might not improve matters are based more upon the general idea that it is only time and

education that can settle things in South Carolina, and that probably where these outrages occur the only thing efficient to put a stop to them is to put a military force there to put them down.

Question. Have you any knowledge of what the city debt of Charleston was before the war?

Answer. Between five and six millions of dollars; it has been increased very slightly since the war.

Question. How was that debt formed?

Answer. By indorsements to aid railroads.

Question. Is not a great deal of the burden of the tax complained of in Charleston incident upon that debt?

Answer. Almost entirely so, and the depreciated value of the city property, which was the result of the war.

Question. And the taking out of slave property from the tax-list makes the tax bear heavier upon the property which is left?

Answer. Yes, sir.

Question. Was it not the case when the new government was formed, that this refusal of the democratic party to enter in any way into the new government, their denouncing it as unconstitutional, that element embraced the great mass of the intelligent white citizens, who held the bulk of the property?

Answer. Undoubtedly.

Question. They refused to take part in the government, opposed it, and denounced it as unconstitutional?

Answer. Yes, sir, and combined to prevent the government from getting any financial aid at all.

By Mr. BLAIR:

Question. What government?

Answer. The State government of 1868.

By Mr. STEVENSON:

Question. And you think the bad result of the government has grown out of that?

Answer. Yes, sir.

Question. Do you think these outrages are committed by property-holders?

Answer. No, sir; I think they are committed mostly by young men. There is a class of men who have nothing to do but loaf about taverns and bar-rooms; I think the outrages are committed mainly by that class of men, but I think they are countenanced to a lamentable degree by the intelligent people of those counties. In my judgment, they could not occur if the intelligent people of those counties set themselves against it.

Question. You mean the old white property-holding element?

Answer. Yes, sir. I do not think it is at all certain but what these bands may get the better of everybody in those counties before they get through.

Question. Do you suppose they are increasing in the upper part of the State?

Answer. I think they are thoroughly organized, and simply lying quiet now, as the result of the proclamation of the President based upon this law. My opinion is that unless something is done between now and next year, there will be a great deal of trouble in South Carolina.

By Mr. BLAIR:

Question. I understand your remedy is martial law?

Answer. Where these outrages occur though my remedy is time and education.

By Mr. VAN TRUMP:

Question. You think martial law ought to be declared about the time of the presidential election?

Answer. I think it ought to be declared in each of these counties where these outrages occur at the time they occur.

By Mr. BLAIR:

Question. And whenever Governor Scott thinks it ought to be?

Answer. I cannot speak for Governor Scott; I speak for myself.

Question. Who do you think ought to have the power to declare martial law?

Answer. I think the power resides in the governor of South Carolina to do it; but if he does not when it is necessary, I think it resides in the President of the United States.

Question. And you think he should bring it on about the time of the election?

Answer. I do not want it at the time of the election, or at any other time. I profess to be out of politics now.

By Mr. VAN TRUMP:

Question. You were a regular stumper?

Answer. I was; I did my whole duty.

WASHINGTON, D. C., June 22, 1871.

E. W. SEIBELS sworn and examined.

By the CHAIRMAN:

Question. Are you a citizen of South Carolina?*Answer.* Yes, sir.*Question.* In what part of the State do you live?*Answer.* I am living in Columbia at present.*Question.* How long have you lived in that State?*Answer.* I was born and raised there.*Question.* Have you a general knowledge of the condition of the State, so as to be able to testify in regard to the extent to which the laws are executed, and life, and property, and person are secure there? If so, go on and state to the committee your knowledge on that subject.*Answer.* I should suppose that, from my connection with the political condition of the country for the last twelve months, I ought to know all about the condition of things in every part of the State. I was the secretary and treasurer of what was called the Union reform party in the last canvass, and was in communication with every county in the State, receiving from a half a dozen to forty letters a day. I knew pretty much everything that was going on. I was informed of everything going on, either by persons coming to me or by parties writing to me for information in regard to various points. In that way I think I could answer almost any question you might ask in regard to any county in the State.*Question.* I would prefer, before putting any questions in regard to particular localities, that you would give, in general terms, your knowledge of the State.*Answer.* Well, sir, there has been no obstruction to the execution of the laws there in any part of the State that I know of. The great difficulty in South Carolina has been that there have been disturbances there ever since the war closed, growing out of the disorganized condition of the country. Directly after the war we had what were called "bushwhackers" there, which, I suppose, are about the same as what are now called "Ku-Klux." In my county in particular they were very annoying to all the citizens.*Question.* In what county was that?*Answer.* I was then living in Edgefield, about forty miles from Columbia, where I now live; I had been living there for seventeen years. You might say that I lived in Columbia also, for my mother and her family lived there, and I went back and forward several times a year. For some time after the war we were very much annoyed in Edgefield County by what are called bushwhackers, who took the law pretty much into their own hands. The military had not been organized in the State, and these young rascals, some of them from other States—in fact, the principal leaders were from other States; two from Tennessee, one from Alabama, and some from other States; they would take the law pretty much into their own hands, and regulate things to their notion, not only in regard to the negroes, but in regard to everybody, white and black. After a while the condition of things became better; the military came in there, and some of these men were killed, and others left the country. But the great difficulty in having peace and quiet in South Carolina is the maladministration of the government, the reckless expenditure of the public money, the ignorance of the officers who administer the laws, and the high taxes. But the people do not object so much to the high taxes of itself as to the manner in which the public money is squandered after it is collected.*Question.* Do you refer to the State or to the National Government?*Answer.* To the State government. As to national politics, the people care very little about that. There is no antipathy at all to the National Government, or to the national troops; the most of the people, I think, would be perfectly indifferent to them. For myself I would as soon see ten thousand troops quartered in Columbia as one. We have no objection at all; it makes no difference to us, not a particle. All we desire in South Carolina is to have a fair administration of the government, and an economical expenditure of the public moneys. Now, my own impression, if I may be allowed to state it, in regard to this matter, of the cause of what is called in some localities the Ku-Klux, and in others vigilance committees, &c., is, that the State government is organized, and has been organized by ignorant persons. They have taken possession of the government; they have, it seems to me, appointed the most ignorant men they could find to be magistrates, trial justices, and all that sort of thing. Many of our trial justices cannot make out a warrant; many of them, scarcely any of the negro trial justices, can fill out a warrant at all for the arrest of a party. I know one in particular, who cannot put together two lines in English; he cannot spell correctly three words consecutively; he spells office "offis." If the money that has been appropriated for the benefit of the negroes had been expended in the manner in which the law intended it should be, it would, in fact, be entirely satisfactory to the white people, for they desire that the negroes should be informed.

We think we never will get right until the negroes are informed and can have a proper appreciation of justice, right, and morality. For instance, there is the appropriation for the land commission; \$700,000 was appropriated for the purpose of buying lands for the landless. It was intended that that money should be expended in the purchase of land that was for sale throughout the State; that the land was to be bought and paid for by the State authorities, and afterwards sold in small quantities to the freedmen who had no land, on long credit. There was a land commissioner appointed, a Mr. C. P. Leslie, a man from New York. It was his duty to appoint sub-commissioners or agents in the several counties of the State, who were to purchase lands. All those purchases were to be submitted to an advisory board, of which Governor Scott was the chairman, and Attorney General Chamberlain the legal adviser of the board, and of which the secretary of state and the treasurer of the State were to be members; the advisory board was to consist of five members. There never have been any books at all kept; there is no evidence of the amount of land that has been purchased; you cannot tell what has been bought, and you cannot tell what has been sold. We only know, after investigating and trying to find out what has been done, that land has been purchased as low as 50 cents an acre, and booked to the State at \$8 and \$10 an acre. And in one single instance a tract of land near Charleston, which you will find on the map, called Hell-hole Swamp, was purchased at 75 cents an acre, or the whole tract for \$26,100, and booked to the State at \$120,000. One of the advisory board drew the money from the financial agent of the State in New York, a Mr. H. H. Kimpton.

Question. Which member of the advisory board?

Answer. It was said that the treasurer of the State, Mr. Parker, did so. The facts were not denied; the accusation was openly made in our reform canvass. I made the accusation myself, in a public speech, and it was not denied. And I could never account how Mr. Chamberlain, who appears to be a fair man, and whom I like personally—I never could account how he could overlook it, for he had to examine the title to the lands purchased. A man by the name of Lanney, in the Darlington district, made a purchase of some land; bid it off at public sale, persuading the freedmen not to bid for it, and telling them that the State would buy it and sell it to them in small quantities at reasonable rates. It was a large estate, and the sale was ordered by the commissioner in equity. Lanney bought all the land except two small tracts, which some of the freedmen bought. At first he had it put down to the State, but afterwards he had it changed to his own name. The terms of the sale were one-third cash, and the balance in one and two years, I believe. He paid a part of the first payment, but before he consummated even that, he had the titles made out and the property transferred to the State, making warrantee titles to the land. The titles were approved and the money paid. He got, I think, nearly \$10,000; I will not be positive about that, for I have reviewed so many of these things during the canvass, and never thought of them again until now, that I do not remember all the particulars. I think the money he got from the State amounted to between nine and ten thousand dollars. What dissatisfies the people, you will observe, is to see the manner in which the public money is paid out without any authority of law. There was a purchase by the State of land from a party who had no right to sell, for he had never complied with the terms of the public sale—had never, in fact, bought the property; and yet he makes out warrantee titles to the State, and receives the money from the public treasury. He cannot sell this land to the freedmen; it is not his to sell.

Question. Are these proceedings given as an excuse or a reason for the acts of lawlessness to which you have referred in the various counties? Do those acts grow out of this dissatisfaction?

Answer. That is my impression.

Question. Has Parker ever been visited by lawless persons? Have they ever visited their vengeance upon him?

Answer. No, sir; he resides in Columbia, and there has been no lawlessness in Columbia.

Question. Has Lanney been visited by them?

Answer. No, sir; he resides in Darlington, and these outrages have been confined to a few counties.

Question. Has any one, to your knowledge, who has been connected with the maladministration of this freedmen's land fund, been visited by acts of lawlessness?

Answer. I cannot think of any one just now. So far as the land commission is concerned, we just let it go by the board; the people then concluded they could do nothing. We talked about it a great deal, and used it as an electioneering argument against the radicals, but it had no effect.

Question. You say that in your electioneering arguments you directed attention to the persons who had been guilty of this maladministration?

Answer. Yes, sir.

Question. Would not that be calculated to lead those persons who thought that law would be vindicated by such outrages to vent their vengeance upon those men?

Answer. No, sir.

Question. Then what connection has that with the disturbances in your State?

Answer. Well, sir, in an electioneering canvass, during an exciting contest, such as we had, we held up to the people everything that we considered unlawful and unjust; not with any view of having the parties punished, but merely to open the eyes of the colored people, so that they could all see that they had never got any benefit from this money which was appropriated for them.

Question. I want to see the connection between the two. If these acts of lawlessness have not been visited upon any of the persons guilty of maladministration, after they had been exposed by name, then what connection has that maladministration with the acts of lawlessness that have occurred in your State?

Answer. I understand you now. I understood you before to ask if any person connected with the land commission had been visited by lawlessness and violence. I cannot now recollect any one connected particularly with the land commission who has been so visited, because almost all the officials down there are connected not only with one department of the government but with several departments. I think it very probable that in the upper districts, where there have been disturbances, some of them have been ordered to leave, and perhaps have been dealt with in other ways, for something they had done which was considered manifestly unjust and wrong; no way connected with politics at all, but simply because they had squandered the public money. For instance, the three county commissioners in one district—in fact, that is an almost universal thing—have raised money and appropriated it to their own purposes. For instance, one of them has taken the poor-house himself —

By Mr. BLAIR :

Question. Taken the poor-house?

Answer. Yes, sir; taken it himself at \$500. The poor-house is let out by the county commissioners to the lowest bidder; this one took it himself at \$500, and then sub-let it at \$200, and then gave an order for the payment of the money for both amounts.

By the CHAIRMAN :

Question. Has he been dealt with?

Answer. I should think he has.

Question. What county is he in?

Answer. In Newberry County.

Question. Is that the reason given for inflicting punishment upon him?

Answer. O, yes, sir; there is no doubt about that. I say he has been dealt with; he has been tried and convicted by a regular court; but he was first visited by what they call Ku-Klux; they visited him, and I believe gave him notice to leave, or something—surrounded his house, perhaps. I do not remember the particulars; I do not charge my mind with particulars, only with general facts.

Question. Did that cause his arrest?

Answer. I do not know whether it caused it or not. But not many days afterward he was arrested, and tried and convicted. The other commissioner run away; they never got him at all.

Question. He was convicted of a misdemeanor?

Answer. Yes, sir; or of maladministration of office. But that was not the only instance.

Question. Has he been sentenced and punished?

Answer. I do not know whether he has been sentenced or not. He bought a horse and buggy, and charged it to the poor-house, but it was found that the horse and buggy had never been at the poor-house; he used them himself.

Question. Was he a white man or a colored man?

Answer. He was a colored man. He bought all the goods and supplies for the poor-house, and charged about three prices for them.

Question. Is this the only case in the county of Newberry of which you have information, where persons have been visited by what you call Ku-Klux?

Answer. Oh, no, sir; I have heard of a number of others.

By Mr. BECK :

Question. What was the name of that county commissioner?

Answer. His name was Young; it was quite a noted case there; it made a great deal of fuss for a while. In nearly all the cases where parties have been visited by Ku-Klux—well, I will venture to say, in every solitary case—when the thing is sifted down to the truth, you will find that politics has nothing to do with it; it is because the parties have been guilty of some outrage in some shape or form, either stealing, or misappropriating the public money, or guilty of some house-burning, or something of that kind.

By the CHAIRMAN :

Question. In whose judicial circuit is Newberry County?

Answer. In Judge Vernon's; but I believe he has resigned, and they have now elected Montgomery Moses.

Question. Was it before Judge Vernon or Judge Moses that Young was tried and convicted?

Answer. The trial was very recently, and it must have been before Judge Moses; Vernon was impeached during the session of the legislature.

Question. You say there may have been other instances in which what are called Ku-Klux have inflicted violence in Newberry County. Were there any cases of actual murder or killing?

Answer. Not that I know of.

Question. Any cases of whipping?

Answer. I cannot name the parties; I have heard of some cases of whipping; not in Newberry County, though. I think not.

Question. What was the character of the cases in Newberry County, of which you have heard?

Answer. I do not know that I have heard of any other in Newberry County; I do not think I have; I think that is the only one.

Question. In regard to any of the other cases of which you have heard, do you know of any of the parties guilty of those violations of law who have been taken into court, tried, and convicted?

Answer. No, sir. There are some parties undergoing investigation now. For instance, there is the county treasurer of York County. A great deal of this Ku-Klux is got up by the radical party themselves, strange as it may seem, but it is so. We have every reason to believe that in several instances that has been the case, just as in the case I am going to tell you about. The county treasurer of York had collected about \$12,000, and I suppose he wanted the money. He did not know how to get it in a legitimate way, and he caused a raid to be made upon his office. That is, it is the general belief now; I think everybody believes that, both black and white. Some parties came into his office one night and shot at him, so he says; that is his version; he jumped out of the window and run off, and they broke open his safe and stole all his money. It has since turned out that they did not steal any money at all, and they did not disturb a paper; but he has the money himself, and has fled the country, and his bond is now being sued.

By Mr. BLAIR:

Question. Is he a white man?

Answer. No, sir. His father is a senator.

By the CHAIRMAN:

Question. Before asking in reference to those cases of which you have heard, you have already stated that very few of these cases have any political significance. What is your understanding of the Ku-Klux society or organization?

Answer. I have never believed that there was an organized system of Ku-Klux; I believe that they are simply local in their action. I do not know anything about it myself, to say that I know; I do not know that I have ever seen a Ku-Klux in my life; if I have I did not know it; I believe these parties called Ku-Klux with us are got up in this way: Some outrage is committed in the neighborhood, some negro burns a gin-house, or commits a rape; or some officer conducts himself in such a way that he becomes so perfectly odious and obnoxious to the community that the people cannot submit to it any longer, and then a parcel of dare-devil young men get together, sometimes disguised, and sometimes not, and they go to his house and tell him he must leave; that if he is caught there after such a day they will deal with him, kill him, or something of that sort. I believe that is all there is of it in South Carolina.

Question. So far as your information goes, are the persons who commit these outrages, these young men, let them be organized or not, all of one political party?

Answer. Yes, sir; I should say that they are all of one party; and I will tell you why I say so. It is a sweeping remark, it is true, but almost nine hundred and ninety-nine out of every thousand of the decent people of South Carolina belong to the democratic party, or to the reform party. And when anything of that sort is done, I take it for granted that they belong to the reform party, or our party, the democratic party. In South Carolina the republican party is composed entirely of the colored people.

Question. Do you include in the nine hundred and ninety-nine out of every thousand the men who commit these outrages?

Answer. Yes, sir; I suppose they belong to our party, or the democratic party.

Question. How many do you suppose are embraced in that organization, or society, or whatever it may be, in the northern tier of counties, Spartanburg, Lancaster, York, &c?

Answer. I have no data upon which to form a correct opinion. I have talked with several gentlemen from up there who I know are opposed to anything like violence, Ku-Klux, and all that, and they said, like myself, that up to a recent date they never

believed there was any such organization, or anything controlled by a head-center, or anything of that sort. Said one of them, "I was inclined to think that until that difficulty in Union, and then that one in York, the thing was quiet, orderly, and systematic; but now I am inclined to think there is an organization, but to what extent I do not know." He is a gentleman who lives up there, and ought to know.

Question. Did what he said satisfy you that there was such an organization?

Answer. I was satisfied that in that particular case they were evidently conducted by a person of great experience, and perhaps if not organized generally, they were organized for that particular occasion, and very thoroughly organized.

Question. Were there not several persons hanged on that occasion?

Answer. It was said that there were several hanged; but that was a time of great excitement. The murder that caused that riot at Union was committed very wantonly. It was a very gross killing of a white man, who was entirely innocent; who had done nothing; who had committed no offense in the world. The people were very much excited, and it was with great difficulty that the thing was kept within bounds.

Question. Was that the case of a man engaged in selling liquor to the negroes?

Answer. No, sir; the correct version of that has not been given; I have not seen the correct version given of it once; but I can give you a correct statement in regard to that matter, for I happen to know all about it. The principal witness, who caused the conviction of the two principal murderers, came to Columbia, and the next morning he accidentally came to my office, seeing me standing in the door, and asked me some questions, and in that way I found out who he was. Governor Scott had just gone into the bank near my office, and I went in and asked him if he wanted to talk with the principal witness in the Stevens murder case; he said he would like to do so very much. This man was not an actor, but he saw the whole of it, and from him I learned these facts; he said that the night Stevens was murdered a party of negroes came to him and insisted that he should go out and guard one of the members of the legislature who had returned there, and who they had heard was going to be Ku-Kluxed that night. He did not wish to go, but finally consented to go. In going out there they met this man Stevens, a drayman, coming into town with a barrel of whisky he had been sent for. He was a one-armed man. They told him they wanted some whisky; he said he had none to sell, and that the barrel was closed tight, and it was not his, any way; but, said he, "Here is a bottle of whisky I will give you," and he took a bottle out of his pocket and gave it to them. They took it and passed on, and after they had gone on some forty or fifty yards, some of them commenced shooting at his wagon. He called out to them, "Don't shoot that way; the balls come right through my wagon; I don't want you to kill me; if you are determined to have the whisky you can come and get it." They turned back, and the man who was with Stevens jumped out and ran into the woods, and Stevens got out and went into a negro house near by. Some of them went to the house to get him, and the negro woman there fought them back, and told them to go away and let Stevens alone; but they insisted upon having him, and finally got him out of the house. The leader of the party appointed a committee of three to take Stevens down into the woods, and they took him and went off with him. This man says that a little while after they were gone he heard a number of guns fired—muskets; he did not know how many. When they came back the man asked them, the captain of the party, "I hope you didn't let him get away." One of them said, "No, damn him; after we shot him down, I went up to him and shot him through with my pistol."

Question. Were the men who committed that murder arrested?

Answer. Yes, sir.

Question. How many?

Answer. Seven, I think.

Question. And two of them were tried and convicted?

Answer. Yes; long afterwards.

Question. So that in that county when a negro commits a murder justice can be done through the medium of the courts?

Answer. I think so.

Question. How many were hanged by this organization of Ku-Klux that you speak of?

Answer. Seven, I think.

Question. Was anybody arrested for that murder?

Answer. For taking those negroes out?

Question. Yes.

Answer. I do not know; I do not think anybody has been arrested for that yet. I do not know what the authorities are doing in regard to them. I have talked very freely with Scott about it.

Question. Now, in any of the counties bordering on Union, in York, Spartanburg, Lancaster, or in any of those counties, have any persons been arrested for crimes committed in that manner by Ku-Klux in disguise?

Answer. Yes, sir; a number of them were arrested and brought down to Columbia and kept there for some time, some of the best citizens we had, who had no more to do with it than the man in the moon.

Question. Have any persons been bound over and tried for such offenses?

Answer. I think a trial is pending now in a number of cases, but I am not sure.

Question. In what counties?

Answer. I know there are some from Laurens; a number were brought down after the disturbance in Laurens just after the election.

Question. You have made the statement that the persons visited in this way are all men of bad character, or persons who have committed offenses in the administration of the government. Did you know Dr. Winsmith?

Answer. Very well.

Question. Did he belong to that class of persons?

Answer. He was a republican.

Question. Was he man of bad character?

Answer. No, sir; one of the few instances of a man of very fair character.

Question. Was he charged with maladministration in office?

Answer. He had no office at that time.

Question. Had he held any office before?

Answer. Yes, sir.

Question. What office?

Answer. He had been a State senator for years and years; I have known him for many years. He suddenly became converted to the republican party. It is rumored—I do not say I know it—but the rumor is that he was promised the place of United States Senator if he would turn republican. That was before the election of Senator Robertson. At all events, to our surprise and to the surprise of all his friends, he turned republican.

Question. How soon after that was he murdered?

Answer. He was never murdered at all.

Question. How soon after that was he visited by the Ku-Klux?

Answer. It was some time after the election; he was a republican early in the summer, and this was some six or nine months afterward.

Question. Was that given as the reason for the visit of the Ku-Klux to him?

Answer. Now let me tell you what occurred about that visit of the Ku-Klux to him. I have the account direct, only one person intervening between me and the one who gives this account of the affair. One of the party—I do not know him; he is a stranger to me—but one of the party said he went to Dr. Winsmith's house that night. He said the negroes had become perfectly ungovernable in that country; they were out with their guns marching and picketing the roads in every direction, stopping everybody who came along. In one instance they would not let a doctor go and visit his patient. It had become so bad at Dr. Winsmith's place that there was no passing there at all at night. This party went to Dr. Winsmith to tell him that the negroes on his place were picketing the road, and would not allow anybody to pass. Five or six went up to the back door of Winsmith's house, and he came out and immediately commenced firing on them, without saying a word, and of course they fired back, and wounded him. They had nothing against him, but they fired on him after he commenced firing on them. They took him up and carried him into the house.

Question. Were the negroes picketing the roads against the Ku-Klux?

Answer. They would not allow anybody to pass.

Question. Was that the reason they gave?

Answer. I never heard it said what their reason was; I take it for granted they would say so.

Question. Was it considered more of an offense that they should picket the roads for that purpose than that the Ku-Klux should picket the roads to pick up their victims?

Answer. I do not pronounce upon that.

Question. It was because the doctor lived there, and it was supposed that he countenanced this picketing of the road by the negroes, that this party visited him?

Answer. They went there to talk with him, and I suppose to get him to use his influence.

Question. What did they do with him?

Answer. Nothing more; they commenced firing at them, and they fired at him and hit him in several places.

Question. Was there any other violence inflicted upon him?

Answer. No, sir; they regretted it very much; they took him up and carried him into the house and left.

Question. He was wounded?

Answer. Yes, sir; in several places.

Question. They fired at him?

Answer. When he commenced shooting they commenced shooting in self-defense. I believe he commenced the shooting; he said nothing at all.

Question. Where were those men going?

Answer. I do not know that they were going anywhere except to visit his house in regard to this matter.

Question. Were they in disguise?

Answer. I am not positive; I think that perhaps they were.

Question. Was that the account you heard; that they were going in disguise to visit Dr. Winsmith?

Answer. I do not say they were in disguise; but my impression is that they were.

Question. Was that the account you heard, that they were going to pay him a hospitable visit in that way?

Answer. No, sir; they did not say it was a hospitable visit, but merely that they were going to see him about the negroes in the road near his house.

Question. When did that occur?

Answer. Since the fall election; I do not remember the time.

Question. Has there been any case in which these acts of violence by persons in disguise have been inflicted upon any other than republicans?

Answer. We never seek to find out or ask a man's politics at all. If a man burns a gin-house it makes no difference who he is; the people there are disposed to retaliate in some way. If he is in office, as a matter of course he is a republican, because nobody else has an office but republicans; or it was that way up to a short time ago.

Question. Is that looked upon as a proper mode of redressing evils?

Answer. No, sir; not among the sober portion of the community by any means. It is deprecated by a very large majority of the people of South Carolina.

Question. Do you deprecate it in the way you are doing it here, by saying that the persons upon whom these outrages are inflicted by disguised bands of men are criminals, worthless men, notoriously bad characters?

Answer. I do not deprecate it at all; I think it is very much to be regretted.

Question. Do you speak in public of the matter as you do here, by saying that these outrages are inflicted upon criminals, or men of bad character?

Answer. I have had nothing to do with politics since the election. Up to the time of the election I said and did all I could to influence the colored people to vote for the ticket I was in favor of.

Question. I am speaking entirely of these Ku-Klux operations. Has that been the tone of your public utterances in South Carolina, that these outrages have been inflicted only upon men of bad character, or men who were criminals?

Answer. That has been my belief.

Question. Have you given utterance to those sentiments publicly to your party in South Carolina?

Answer. Well, yes, sir; whenever I spoke of it at all I admitted those facts, because I believe they are facts.

Question. Is that not accepted as a justification or apology for such acts?

Answer. Well, I do not know that it should be; it might be by a strained construction.

Question. Have you ever advised the arrest and punishment of these Ku-Klux?

Answer. No, sir; because I do not know them; I never had anything to do with them; we never had any disturbance in my county.

Question. None in the county in which you now live?

Answer. No, sir.

Question. I understood you to say that just after the war there were quite a number of disturbances in the county in which you then lived.

Answer. Yes, sir; they were then called bush-whackers.

Question. You say they were the same that are now called Ku-Klux?

Answer. I think they are the same.

Question. Have there never been any allegations of the existence of an organization of Ku-Klux in your State? Has it never come to your knowledge that the Ku-Klux had an organization there?

Answer. No, sir; not in such a way that I could believe it; nothing more than what gentlemen would say in conversation, expressing their opinions.

Question. Have the outrages been committed, according to your information, by persons in disguise riding out at night, and in bands large enough to enable them to support each other in the commission of offenses?

Answer. That is what we hear.

Question. Have you any doubt of it?

Answer. No, sir; I believe where they have undertaken to do a thing of that sort they have generally gone out in disguise.

Question. Have you any information in regard to outrages of a similar character having been inflicted in North Carolina in the same way as in your State?

Answer. We have heard a great deal about what has been committed in North Carolina.

Question. Have you heard enough to satisfy you that it is true that such outrages are committed there in that way?

Answer. Yes, sir; I believe there are bands there that commit outrages very similar to those in South Carolina.

Question. The county in which you formerly lived, Edgefield County, is very near the Georgia line, is it not?

Answer. Yes, sir.

Question. Have you any information of outrages of this character having been committed in this same manner in Georgia?

Answer. No, sir; none.

Question. You mentioned that a man from Georgia was one of the leaders of those bush-whackers?

Answer. No, sir; I said there were two from Tennessee and one from Alabama.

Question. Who was the man from Alabama—what was his name—who was one of the leaders of the bush-whackers?

Answer. I forget the names of the parties now, it has been so long ago. There was a man by the name of Hodges, from Tennessee; he was killed.

Question. Who was the other man from Tennessee? You said there were two from Tennessee.

Answer. I cannot think of his name now. Hodges is the only name I can think of at the present time.

Question. You did not know the names of the other two?

Answer. I did when I was up there.

Question. I wish you would refresh your memory and give us the names.

Answer. I saw them but seldom, and do not remember their names.

Question. They became noted as leaders of those bush-whackers?

Answer. They were always together; I do not know that they had any particular leader.

Question. Those men were fixed in your mind as leaders of those bush-whackers?

Answer. Yes, sir.

Question. If you can remember their names we would be glad to have them.

Answer. That is the only one I can recollect.

Question. He is dead?

Answer. He is dead. Perhaps I will think of the name of the other before I leave; it was a very singular name. I never saw those two men from Tennessee but twice; they were drinking very much at the time, and my attention was attracted to them from the vulgar and boasting manner in which they were talking.

Question. Were the offenses committed by them at that time, just after the war, committed by them in disguise or not?

Answer. They were committed in disguise.

Question. And at night?

Answer. Yes, sir.

Question. How soon after the war was that?

Answer. In the fall of 1865; just after the war.

Question. Were they committed by any considerable number going together?

Answer. No, sir; hardly ever as many as ten.

Question. Were they committed altogether upon the blacks, or upon both whites and blacks?

Answer. Mostly upon the blacks, I think; I cannot say that I remember any whites; I think several whites were threatened only.

Question. How do you account for the fact, which appears to a considerable extent from your testimony, that these wrongs have been inflicted almost invariably upon negroes and white republicans?

Answer. Why, sir, it seems to me there are a thousand and one ways of accounting for it. In the first place, the negroes were armed with the most approved weapons, ball and cartridge; the whites were not armed, but, on the contrary, it was persistently refused to let them have arms; we were not allowed to drill or to organize in any way whatever. Arms were put into the hands of the colored people, and they were incited by the most incendiary speeches from the republican leaders; they were told that everything belonged to them, that what we had was purchased with the results of their labor; that the Government was going to divide it out, that we had no right to our property, and it was going to be divided out to them. They became insolent, overbearing, threatening. I, myself, heard threats, in which they said they did not intend to leave a babe in the cradle.

Question. Threats from negroes?

Answer. Yes, sir. That accounts for the excited state of society in South Carolina. I think it very reasonable that such a state of things should exist when such an influence existed through the public authorities.

Question. Then you think that the outrages committed by the Ku-Klux are the natural result of the state of things following from the war?

Answer. Yes, sir; following from the war, and then the maladministration of the government of the State ever since.

Question. When it was proposed to organize the State government, did the white

men, who as you now say compose ninety-nine hundredths of the decent part of the community, take any part in that organization or did they refuse to participate in it?

Answer. Very little part, because the leaders in South Carolina, the people whom we had been accustomed to believe in, and whom we had always been led by, the old leading citizens, never believed that the Government here at Washington would thrust negro suffrage upon us, and put the State in the possession of the ignorant negroes, who were 30,000 majority in the State; they did not believe that such a monstrous act would be perpetrated, and consequently they thought it was useless to take any part in the formation of the State government. That was the view I took myself; I recollect publishing an article of that kind.

Question. Was not that the view taken by the ninety-nine out of every hundred men who now claim to be, and who you say are, the decent portion of the community in South Carolina?

Answer. Yes, sir.

Question. And then, when the government was organized without their coöperation, they make its short-comings the ground at least for accounting for, if not excusing, these outrages throughout the State?

Answer. Yes, sir; I suppose that is really so. I confess we made a great mistake; we ought to have gone into the constitutional convention; we ought to have attempted to take part and control the negroes in everything; but I doubt if the result would have been different; I doubt it very much.

Question. Well, having made that mistake, would not the reasonable mode of correcting those errors, which have resulted from that mistake, be to discourage lawless acts of violence in every form, and to endeavor to remedy those evils through legal channels?

Answer. Well, sir, the sober portion of the community have been and are doing everything we possibly can to correct this thing; we are trying in every shape and form to control it. We have had several conferences at Columbia, one not long ago, with the governor, before the convention met. The governor told me to invite any gentlemen to it I saw fit, and we had some eighteen or twenty there.

By Mr. STEVENSON:

Question. Were you present?

Answer. Yes, sir.

Question. I would like to have you describe generally what took place in that conference.

By the CHAIRMAN:

Question. You say you are making every effort to correct these evils which you say exist. Conceding, as you do, that the men who compose these bands are members of the democratic party, from force of circumstances, has there ever been any authorized expression of condemnation, by a council or State convention of your party, of these outrages, and a call upon the people to assist in repressing them?

Answer. I do not think there has been any public demonstration of that kind made—yes, perhaps there was in two counties up there; I know there was, in fact, I know there were as many as two public meetings.

Question. In what counties?

Answer. I cannot name the counties; I am not positive about their names; well, it was either Union, York, Spartanburg, or Laurens, somewhere up there, I know, there was a public meeting in which resolutions were passed condemning all acts of violence or lawlessness, Ku-Klux, in other words; and advising the people to go home, at least to refrain from all acts of violence; and that the governor was doing whatever was proper, and trying to bring things right.

Question. From what you have stated of the nature of the organization and its mode of conducting its operations, may not those resolutions have been passed by the very men who committed the outrages?

Answer. No, sir; I do not think it at all probable.

Question. I deem it but justice to you to state that, in some testimony that has been given before the committee, reference has been made to what is called the "council of safety" in your State. I will ask you whether that organization has anything to do with any secret political organization in the State? if not, will you give an explanation of that "council of safety"?

Answer. Yes, sir. It has nothing in the world to do with any secret political organization. I happen to know all about it, and I shall not hesitate to speak very freely, for I published it and distributed it as far as it has been distributed. What led to it was this: the manner in which the people had become excited over the election, the arming of the colored people, the insolent manner in which they conducted themselves at the election, the manner in which we had been counted out of the election, and the ballot-boxes had been stuffed—men had been declared elected who we knew were not elected, in some counties where we had a white majority—the people became so very much

excited that we thought we were in imminent danger; we thought a war of races was very probable. Shortly after the election the executive committee of the Union reform party was called together for consideration, and to that conference was invited a number of other gentlemen—leading men, representative men—from the different portions of the State, to consult for the public good, and to consider what we could do to avert such an awful calamity as a war of races would be. After a thorough discussion of the matter, and consultation, and comparing of notes, considering that we were not allowed to organize, and not allowed to have any of the public arms, we thought it absolutely necessary that we should have some sort of organization for the protection of our families. A committee was appointed to draw up a plan of organization, which we believed would afford some sort of protection to the people in case there should be an outbreak. The committee produced what is called “the constitution of the council of safety.” It was not submitted to the executive committee and the other gentlemen for several weeks after that. Contrary to our expectations the excitement passed off, the people became comparatively quiet, and not much interest was taken in our plan after we had got it up, because we believed that the crisis had passed, and that it was hardly worth while to organize at all. When the manuscript of that “council of safety” was read to me, I was very unwell at the time and suggested no amendments to it. It did not meet my approbation, inasmuch as I thought it was too complicated, that there was too much detail about it, and I did not think it would take on that account. It was published, however, and I sent it to a number of the counties; I do not remember how many; I have some of the pamphlets at home now; I believe I have one in my pocket. I have heard of but two counties, I think, where they have formed councils at all, and I cannot say that it has ever been in operation at all in any way. Ku-Klux, or what they called Ku-Kux, existed long before that pamphlet was ever issued. I have heard, in fact I saw in a paper, that Governor Orr said he believed that pamphlet was the basis of the Ku-Kux. There he is very much mistaken; it has never been the basis of any organization of that sort, and we never intended it should be.

Question. You say you have a copy of that pamphlet with you?

Answer. Yes, sir.

Question. Will you furnish it to us?

Answer. Yes, sir, here it is, (handing over a small printed pamphlet.) I brought it with me for the purpose of furnishing it to you, supposing I should be asked about it.

Question. This pamphlet was published at the Phoenix office, in Columbia?

Answer. Yes, sir; it has the name of the Phoenix office upon it.

Question. Was this made public?

Answer. No, sir.

Question. Was it not a secret organization?

Answer. It was not any organization at all, merely a plan to be submitted to the different districts for them to act upon as they saw proper.

Question. When was this plan adopted?

Answer. I cannot remember; it was proposed after the election, some time in November. It was submitted in manuscript to about six or seven of us, not more than seven, and we agreed that it would answer, and it was published and distributed.

Question. It was proposed in November, 1870?

Answer. Yes, sir.

Question. That was the first of it?

Answer. Yes, sir; that was the first that was known of it.

Question. Were these pamphlets sent out to the chairmen of your county committees?

Answer. We had no committee at all. The reform party was finally terminated, as you could see, if you had the paper. The chairman of our central executive committee, General Kershaw, issued an address to the people of South Carolina after the election, saying that the reform party had performed its functions and was at an end. There was no organization at all in the State. In distributing these pamphlets I merely sent a dozen or so of them to some leading man in each county.

Question. They were sent to a leading man of the democratic party in each county?

Answer. Yes, sir; to our friends who we knew were reliable gentlemen; gentlemen of discretion who we knew would take the proper view of the thing, without regard to any organization, for there was no organization at all. Some of those very counties where the disturbances are I never sent to at all.

Question. Were there any organizations under this plan in the city of Columbia?

Answer. No, sir.

Question. In what capacity did you send these out? Were you secretary of the organization?

Answer. There was no secretary, no chairman, no leader, and no anything at all.

Question. By whom was this plan adopted?

Answer. When we met after the election it was agreed that an organization should be gotten up.

Question. Agreed by whom?

Answer. Agreed by the meeting.

Question. Of whom was the meeting composed?

Answer. Of the executive committee of the Union reform party, and some few leading gentlemen of the State who were present. About thirty persons were present, I think. Some sixteen or eighteen councils, eighteen councils of the State were represented, I think.

Question. What is the meaning of the second clause of the third article? The article is as follows:

"Its operations shall be two-fold:

"1. Political, social, and moral, under the forms of established laws.

"2. Physical, according to the recognized principles of the law of self-defense."

What physical operations were contemplated in the organization of this society?

Answer. As I am going to tell you, so far as I myself am concerned, I never touched pen to paper in compiling that pamphlet. It was submitted to us at night in the hotel, when I was very unwell and lying down. I never examined it or read it through until the other day, when I got a dispatch to come here. I was satisfied I was called on that account, and I then read it through carefully. I really do not know what the intention of the writer was.

Question. The telegram sent to you conveyed no intimation to you to bring this document, or any other, with you?

Answer. No, sir; only I had seen in a paper that Governor Orr had said that the "Council of Safety" was the basis of the Ku-Klux organization.

Question. Was it not by accident that a copy of this pamphlet was obtained and published in the Charleston Republican?

Answer. I think not; for while I was sending out these pamphlets, whenever I would see a gentleman in town from such or such a county, I would give him a number of copies of the pamphlet. And a few days after I had handed them to several gentlemen there was a meeting of some sort in Columbia, and there were half a dozen copies of this pamphlet left on the mantel-piece in the hotel.

Question. Do you mean to say this was intended to be a public organization?

Answer. No, sir.

Question. Do not its terms give it the character of an oath-bound organization?

Answer. I suppose that would be a proper inference.

Question. Is it not confined to white men?

Answer. Does it say so?

Question. Pardon me, I am not on the stand at present. I am asking you.

Answer. Well, sir, as I tell you, I have read it but once, and I do not remember that there is anything in it about white or black, that I know of?

Question. I will read the first section or clause of article iv.

"1. There shall be in every county (the city of Charleston for this purpose being considered a county) one council in each beat district, composed of approved white men, above the age of eighteen (18) years. They shall be known by the letters of the alphabet."

Answer. Well, sir, I suppose it was intended to be confined to white men. Every one has a right to form his own conclusion in regard to that; that would be my impression.

Question. Was not its character that of a sworn political association of white men?

Answer. No, sir; I deny that. It is not political.

Question. Was anybody admitted into it but members of the democratic party?

Answer. I do not know that anybody at all has ever been admitted, for we have no council in Columbia; never attempted to form one; never attempted to call a meeting for any such purpose. I never even distributed the pamphlet in Columbia. I handed a copy to Colonel Thomas, and one to General Wallace. I believe those are the only two persons in Columbia to whom I handed it.

Question. Then, do you mean that this plan of organization throughout the whole State was printed and circulated in this way, and no organization was ever made under it?

Answer. None that I know of, except perhaps in two counties.

Question. What two counties?

Answer. A gentleman from Lexington County told me that he had formed a council.

Question. What was the other county?

Answer. A gentleman came over from Sumter County, one day in February I think; he came over to me and said that there were two or three councils formed over there, and he wanted to know if I had any instructions, or if there were any further instructions to be given—oral instructions, or anything; he did not know how to proceed exactly, he said; there had been some councils formed over there, and they wanted some information given, which he could not give exactly, and he asked me if I had any. I told him no; that I had not thought of the thing for so long that it had gone out of

my mind; that no instructions were to be given except to make the best they could out of that pamphlet.

Question. Had there ever been any attacks by violence, in either Lexington or Sumter County, of black men upon the whites?

Answer. No disturbance in those counties at all.

Question. What was the purpose of organizing a society in those counties for "physical operations according to the recognized principles of the law of self-defense?"

Answer. As I tell you, from the beginning we apprehended that there would be a war of races; there was very serious apprehension that there would be. The colored people throughout the State were armed; they had ball and cartridge, and had shot several persons—some of their own people—and we were forbid to organize and to drill.

Question. Did you yourself become a member of this organization?

Answer. We never had any; there never was any formed at all in Columbia.

Question. To whom did those persons report who formed councils in Lexington and Sumter?

Answer. They merely came to me, because they heard the pamphlet had come from me, and said they had formed a council.

Question. You handed the pamphlet to them for the purpose of organizing under it?

Answer. Yes, sir.

Question. And you directed them to organize?

Answer. I did not direct them; it was the understanding that they would organize under that pamphlet.

Question. You had sent them to every county?

Answer. No, sir; only to about twenty out of the thirty-one counties.

Question. The only reports you have of councils were from Lexington and Sumter?

Answer. From Lexington and Sumter.

Question. From any other county?

Answer. Yes, sir; I think I heard that there were some councils formed in a part of Orangeburg County; those were the only three counties.

Question. None formed in Spartanburg?

Answer. None that I know of. I do not think I sent the pamphlet to Spartanburg.

Question. None in York?

Answer. There is a gentleman here now from York, an old college-mate of mine; he said he had never heard of any.

Question. In what county does Judge Orr reside?

Answer. In Anderson County.

Question. Did you send any of these pamphlets to Anderson County?

Answer. I do not remember of sending any there.

Question. Is there any such organization in Anderson?

Answer. No, sir; none but in the three counties I have told you of. I am satisfied there is no organization upon that plan in the other counties, for if there had been I should have known it.

Question. Was it not in October and November of last year that the principal part of these disturbances occurred in Spartanburg and Union Counties?

Answer. I believe it was at that time.

Question. Soon after the issuing of this pamphlet?

Answer. Some took place before; the biggest disturbances were all before that. That pamphlet never came out until away in January.

Question. I understood you to say it was in November.

Answer. No, sir; you understood me wrongly. I said we met in November, and determined that there should be an organization; but the plan was not submitted for weeks afterward. I think it was submitted in January; I will not be positive about that, but I think it was in January. And it was some time after that before any were distributed, for it was in the printer's hands for about three weeks. The great outrages were committed before that pamphlet was issued at all.

Question. Have they continued in those counties until a recent date?

Answer. Yes, sir; more or less; I suppose disturbances of some character are going on.

Question. My object in calling your attention to this is to give you full opportunity for explaining this organization.

Answer. That is what I want to do; I want to keep back no information I have in regard to it.

Question. Have you any knowledge of any other organization than such as may be organized under this "constitution of the council of safety?"

Answer. No, sir; none but common rumor, talk about Ku-Klux generally.

Question. In other parts of the State, in the southern and eastern portions of the State, have there been any disturbances which have interfered in any way with the administration of justice and the proper execution of the laws?

Answer. None that I know of.

Question. In your judgment, have these Ku-Klux outrages obstructed the execution

of the laws and the administration of justice in the northern tier of counties where they have occurred?

Answer. I cannot say that they have interfered with the enforcement of the law; sometimes, in one or two instances, perhaps, a county treasurer, or some other officer, has been notified to leave, or has been run off. In that way, I suppose, it has, to a certain extent, interfered with the execution of the law.

Question. Take the case of Union County, where seven men can be taken out of jail, when they are awaiting their trial by a legal tribunal; where an armed body of men can come in and take them out and hang them. Is that a safe county to live in?

Answer. It would not look so.

Question. What do you think of it?

Answer. It does not strike the people right where it is as being so strange. You hear more of these things when you go farther off than you do there right in the midst of them.

Question. I take the case as you present it. Seven men are awaiting their trial for a murder, supposing they committed it; a mob comes in and takes them out of jail and hangs them. If a mob is to be the judge of crime, is that a safe community to live in?

Answer. They are assigning other causes for that.

Question. I am not arguing the case; those men may have deserved hanging in a legal manner; I do not know how that is; but do you consider the law as affording sufficient protection to life and property, where it can be trampled on in that way, and no one be arrested for it; in other words, where the mob is too strong for the law?

Answer. There is no difficulty there in arresting anybody; outbreaks of that sort are liable to happen anywhere.

Question. That may be.

Answer. And in the present state of things, if the arms had not, to some extent, been taken away from the negroes; if Governor Scott had not changed his policy and appointed better men to office, and given us some show in trial justices, &c., things would have been a great deal worse than they are, I have no doubt. And as long as that state of things is allowed to exist, all the military in the world would not prevent outrages of that sort.

By Mr. VAN TRUMP:

Question. The chairman has asked you whether or not the democrats who composed the public meeting in one of your counties which denounced the Ku-Klux organization, and advised the people to frown upon lawlessness and disorder, might not themselves have been Ku-Klux. I would ask you whether it would not be quite as reasonable, or unreasonable, to assume that some of those Ku-Klux acts were committed by republicans in disguise, for the purpose of throwing odium upon the democratic party, and involving them in trouble with the general Government?

Answer. That has undoubtedly been the case.

Question. I only want your opinion as to whether the one is not about as reasonable as the other?

Answer. Just about.

By Mr. STEVENSON:

Question. You have spoken of a counsel or conference of democrats with the governor.

Answer. Yes, sir.

Question. When was that?

Answer. It was during the session of the legislature. I cannot name the day of the month, or the month, perhaps; but it was at the time they were talking about sending up troops. They were discussing a bill or a resolution in the legislature. I believe it was a resolution authorizing the governor to send troops to Spartanburg, Laurens, and Union, and to declare martial law.

Question. It was last winter?

Answer. Yes, sir. The legislature did not adjourn until the 1st of March. It was at the time the governor became very much puzzled to know what was the best thing to do.

Question. He found it necessary, or, at least, he thought it expedient, to call into his council some leading democrats, and endeavor to get them to assist him?

Answer. Yes, sir. They had just had that fight at Chester, in which a great many were killed and wounded on both sides. I do not know whether you gentlemen have had any account of that; but there was quite a serious disturbance there.

Question. How many democrats were at that conference?

Answer. I think there were seventeen.

Question. From various parts of the State?

Answer. Yes, sir.

Question. Who were some of the most prominent among them?

Answer. Gabriel Cannon, from Spartanburg.

Question. Who is he?

Answer. Rather a leading man in Spartanburg; formerly a State senator.

Question. Did he take any part in the war?

Answer. I do not know what part, if any. He was a very old man, too old to take any part in the war, I think. Then there was General Samuel McGowan, of Abbeville.

Question. Who is he?

Answer. He is a lawyer of some eminence in Abbeville.

Question. He was a general of what?

Answer. A general in the confederate service. General Kershaw was present.

Question. Who is he?

Answer. I supposed everybody knew who General Kershaw is?

Question. I know, but I want it to appear in testimony.

Answer. He is a lawyer from Camden.

Question. What was he general of?

Answer. He was the general of one of the divisions in Lee's army; and there was present T. Y. Simmons, of the Charleston Courier.

Question. That is the democratic State organ, or one of them?

Answer. One of them. W. K. Easeley, esq., of Greenville, was present. There were a number of others there; among them, Colonel J. P. Thomas, of Columbia.

Question. A colonel in the rebel army?

Answer. He was in the confederate army.

Question. They were representative men of the democratic party, from all quarters of the State?

Answer. Yes, sir. Governor Scott and myself consulted about whom to invite. He told me that he had invited such and such gentlemen, and that he would be glad that I would invite any I desired to have there.

Question. What was the substance of what the governor said to them?

Answer. The governor did not say very much; he wanted them to say.

Question. What did he ask of them?

Answer. He asked them to give their views upon the state of the country, and what they thought was the remedy. He said he would like to hear their views, and if they could give him any promises as to the behavior of the people in a quiet and orderly manner in future in their different counties; he wanted them to state what they believed were the causes of those disturbances. It was the universal opinion of all the gentlemen who spoke, and they nearly all spoke, that it was the arming of the militia that had brought on the troubles; that was the universal expression with every one of them. It was the cry from one end of the State to the other that that was the cause of all the disturbances, and all the acts of lawlessness and violence; and I think if Governor Scott was asked the direct question he would admit it.

By Mr. VAN TRUMP:

Question. You mean by "the militia," the negro militia.

Answer. Yes, sir.

By Mr. STEVENSON:

Question. Did General Kershaw make a speech?

Answer. Yes, sir.

Question. What was the substance of it?

Answer. That he believed, unless the thing was corrected, there would ultimately be a war of races; "and then," said he, "even you, as white people, are nearer to us than the colored people; and when it once commences, there can be no question who will go to the wall, the whites or the blacks."

Question. What did he advise the governor to do?

Answer. To disarm the militia. They all said that unless that was done there would be war; that there could be no possible chance of avoiding it; that the negroes must be disarmed; and that he must remove certain obnoxious negroes who were in office, and put decent men in their places.

Question. Do you remember General Kershaw's expression, "that the negroes and carpet-baggers and scalawags should be removed from office, and decent southern men [or gentlemen] put in their places?"

Answer. No, sir; he did not make any sweeping assertion of that sort; he was very guarded in his language. He said very clearly—I cannot give his exact words, because I heard all the speeches that night, and I cannot now remember the words of any particular person—he said that the fruitful source of disturbance was the arming of the negro militia, and that that source of annoyance had to be removed. He was very emphatic about that, and so were the others, very positive that that had to be removed. And he also said that if the governor would remove a number of the trial justices throughout the State, who were ignorant, and did not know what to do—who did not know the number of days in a month, some of them—if he would remove them and put in honest men, he thought we would have quiet, law, and order in the State.

Question. You did not, then, hear him say anything about southern gentlemen?

Answer. No, sir; I do not think that expression was made use of by any of them, General McGowan made a very able speech, and it was well received.

Question. That was the substance of the demand; that the negro militia must be disarmed, and changes of such officers as they thought incompetent and improper?

Answer. Yes, sir; that was the sum and substance of what was said by all of them.

Question. How did they expect the offices to be filled?

Answer. The governor was to fill them.

Question. They did not allow him to appoint ignorant negroes?

Answer. I take it for granted if you take out an ignorant negro you would not put another in.

Question. All the white men, you say, belong to the democratic party?

Answer. Not all of them.

Question. You say that not more than one in a thousand are republicans; it would follow, then, that he would have to appoint democrats to fill those offices?

Answer. There are a number of persons he could have appointed to the office of trial justice, who would have given satisfaction to all the people of the State.

Question. They would have been satisfied to have had colored men in those offices if they were intelligent?

Answer. Yes, sir; and there were several republicans who would have satisfied them, because they would have sense enough to discharge their duties properly. They did not demand that he should appoint democrats at all. They have subsequently sent in recommendations, and they have frequently recommended republicans.

Question. Did they promise peace on those conditions?

Answer. Yes, sir; they promised to go home and use their exertions to preserve the peace; to stop everything like violence, and to put down Ku-Klux interference with any one.

Question. They did not deny the existence of Ku-Klux?

Answer. No, sir; they did not pretend to deny that there was a disturbed state of things, and commission of outrages. None of those gentlemen present knew to what extent the organization existed, or how many were in it, or anything about it, even those from those counties, any more than I did, I do not believe.

Question. How do you account for the existence of this order, its ramifications, and extent, without its being known to such men as those?

Answer. I think they knew those men were opposed to anything of the kind, and they did not communicate it to them.

Question. They did not confide in them?

Answer. No, sir.

Question. You say that order existed long before the governor assembled you there?

Answer. Yes, sir.

Question. When did it begin?

Answer. As I stated at first, I think it has been going on ever since the war closed, to a greater or less extent.

Question. Do you mean in the form of Ku-Klux?

Answer. Yes, sir; bushwhackers, Ku-Klux—all the same thing.

Question. These Ku-Klux, as they exist in some counties, are much more regular and methodical in their mode of operations than the old bushwhackers?

Answer. Yes, sir, they are more regular.

Question. How long do you suppose it to be since they took the form of Ku-Klux?

Answer. I do not think I heard anything about Ku-Klux until about a year ago; perhaps less than that.

Question. Did you hear anything about them in 1868?

Answer. I think there was some little talk about them then. I think I remember seeing a notice in my district paper, some Ku-Klux publication, calling themselves Ku-Klux, and calling a meeting in Edgefield County.

Question. In your own county?

Answer. Yes, sir; I think I recollect seeing something of that about 1868; but no attention was paid to it. I do not think anybody ever formed an organization.

Question. You do not know now that they ever formed an organization?

Answer. No, sir.

Question. Could they not have formed one even without your knowing it?

Answer. No, sir, not in Edgefield; I think I knew all the dare-devils and everybody almost in that county.

Question. Is it not a little singular that it should have gone on in other portions of the State, and you not know anything about it?

Answer. No, sir. I do not know anything of those counties.

Question. Did they not kill, in 1868, a Mr. Randolph, one of the State officers, or a candidate on the republican ticket?

Answer. No, sir; there is a great change in the public mind in regard to the killing of Randolph.

Question. It was reported at that time that they had killed him?

Answer. Yes, sir, it was so reported.

Question. He was standing on the platform of a car, and was shot by a gang of men?

Answer. Yes, sir.

Question. Are you not aware that one of the men who shot Randolph testified that he belonged to the Ku-Klux organization, and that it had been decreed that Randolph should be killed, and he was accordingly shot?

Answer. Yes, sir, I am aware of that.

Question. What has become of that man?

Answer. He was taken possession of by the State authorities and put in the penitentiary; he was then allowed to escape, and he went to his house, and was living there in open daylight attending to his usual business, and was finally shot by one of the State constabulary.

Question. In an effort to re-arrest him?

Answer. Yes, sir; but we, and almost everybody who knows anything about it, believe that was a concocted plan on the part of the republican party; we believe it firmly, and we have every reason to believe it.

Question. What do you mean by a concocted plan?

Answer. They killed him for the purpose of incensing the colored people against the white people. They never tried him and would not try him; they kept him in the penitentiary awhile, and then let him get away.

Question. I cannot see why they should kill him to incense the colored people.

Answer. Killed Randolph; almost everybody now believes that man was hired to kill Randolph.

Question. He testified in one of the contested election cases from your State?

Answer. Who? this man Talbot?

Question. Yes.

Answer. No, sir; I think not.

Question. What was his given name?

Answer. I do not know.

Question. You know that he is dead?

Answer. I suppose I may say I know it; I saw Hollingshead, who said he killed him.

Question. Who is he?

Answer. The republican senator from Edgefield County; he said he killed him.

Question. There was a reward offered?

Answer. Yes, sir.

Question. And that reward was paid?

Answer. Yes, sir; they have a great many ways of making money in that way; letting a man go, and then offer a reward for him.

Question. Can you state any grounds for that suspicion?

Answer. Yes, sir; one of the guards of the penitentiary, a boy I raised from an infant, said in my house that he did not see why they should make such a fuss about Talbot getting away; that they let him go about loose at night, and have a gun, "and, of course," said he, "he could get away if he chose, and he left."

Question. That is the ground of your suspicion, is it?

Answer. One ground.

Question. Have you any other ground?

Answer. I take it for granted if he was the murderer of Randolph they would have tried him and hung him.

Question. Do you not know that they held out the inducement to him that if he would testify, and tell the truth about the organization, he would not be punished?

Answer. I do not know that they held out any inducement about the organization, He was to testify against the other murderers, if they got them; but, strange to say, they never were got, and if there ever was any effort made to get them I do not know it. They kept him as long as it suited their purposes, and then he was allowed to escape.

Question. Do you know how many men went to Dr. Winsmith's house?

Answer. I heard that there were eight or ten; I do not know except from hearsay.

Question. Were they armed?

Answer. Yes, sir; they were armed.

Question. Do you know how many men fired on him?

Answer. I do not.

Question. Was it at night or in the day-time?

Answer. It was at night.

Question. In speaking of the Hell-Hole Swamp property —

Answer. It is laid down on the map as Hell-Hole Swamp, and has been for years.

Question. You say that Mr. Chamberlain examined that title?

Answer. I do not say that he did; but he was the legal attorney of the commission.

Question. It would have been his duty to examine it if he had been requested to do so?

Answer. He was one of the advisory board, and it was the understanding that no

purchase could have been made without its approval. He was the legal attorney of the State, and it was the understanding that he was put on the board for the purpose of examining the titles.

Question. Is it not likely that this was an old piece of property, one that had not changed hands very often, and therefore there was not much doubt about the title?

Answer. The title is good enough; that is not where the fraud comes in.

Question. It is a title that probably would not require much examination?

Answer. No, sir; I do not say that.

Question. Not a valuable piece of property, that would be cut up and sold?

Answer. No, sir; it cannot be cut up and sold; it is full of snakes and alligators, and I suppose always will be. I do not blame him for that transaction. But it was such a fraud on the State. The title is good; they have got a good title to the property, but the property is worthless.

Question. I thought, from an answer you gave a while ago, that you might possibly intend to implicate Mr. Chamberlain. He testified here as strongly against the improprieties there as you have, and seemed to condemn them quite as strongly.

Answer. I wish to be understood that I exculpate him in that transaction, because I believe the title to the property is good. But the fraud was practiced by the parties who made the sale, and those who allowed it to be billed to the State for \$120,000.

By Mr. BLAIR:

Question. Give us a full statement in regard to that transaction about Hell-Hole Swamp; who got the money, and who kept it, for that matter?

Answer. As I have already stated, Mr. Leslie, the land commissioner of the State, never kept any books; his sub-agents never kept any books; Mr. Leslie has never made any report and his sub-agents have never made any reports. Nobody knows how much land they have bought; nobody knows how much land they have sold. But the \$700,000 has been drawn out of the treasury and spent. Mr. Leslie, after being in office for some time, was paid \$65,000 to resign, and Mr. De Large was appointed in his place, the present member of Congress from the Charleston district.

Question. A negro?

Answer. Yes, sir.

By Mr. BECK:

Question. Do you suppose Parker kept that \$90,000?

Answer. In a public discussion one day, I alluded to the fact, in the presence of the senator from Richland, who is a sub-agent of Leslie; I alluded to the fact that this purchase had been made for the colored people, that they had purchased a swamp in which nobody could live; and turning to the senator, I said, "Rumor says that \$30,000 was paid for it, but the land commission drew \$120,000 for it; is that so?" He replied, "Yes, you are right; that is so; but Mr. Parker got that money. I heard Governor Scott say to him that he was a rascal, that he got that money and he knew it, and," said he, "Mr. Parker did not have courage enough to deny it." That is what took place at a public discussion.

By Mr. BLAIR:

Question. Scott insisting that there ought to have been honor among thieves; that, all of them conjointly having stolen the money, it ought to have been divided among them?

Answer. I suppose so. [See note on page 137 at close of testimony of this witness.]

By Mr. STEVENSON:

Question. Did you understand Governor Scott as censuring that officer, or as complaining that he had not shared with him?

Answer. He was evidently complaining. And I am furthermore informed that Governor Scott did have under consideration the propriety of indicting him for embezzling the public money.

Question. And your understanding was, that he was censuring this officer for taking that money?

Answer. Yes, sir; that was my understanding.

By Mr. BLAIR:

Question. For retaining that much money?

Answer. Yes, sir.

Question. Was not Scott one of the advisory board?

Answer. Yes, sir.

Question. Did he know what was paid for Hell-Hole Swamp?

Answer. I do not think he knew until after the transaction was completed, although all those transactions ought to have come before the advisory board. It was alleged publicly that they drew very hurriedly upon Kimpton, of New York, and that the advisory board did not pass upon the thing.

By Mr. STEVENSON:

Question. Parker being the treasurer of the State, he had power to draw the money.

Answer. Yes, sir.

By Mr. VAN TRUMP:

Question. What was the name of the senator with whom you had that colloquy?

Answer. Beverly Nash.

By Mr. BECK:

Question. I want to ask you about two or three special cases. According to your information, how much of that \$700,000 has been invested in good faith for homes for the negroes?

Answer. I was very diligent during the canvass in making inquiry, for we sought to use that as an electioneering document against them. I was very diligent in inquiring about the purchase of lands in all the counties, and I never heard of a single instance in which a *bona fide* trade had been made.

Question. Your information is that that \$700,000 was substantially stolen by the officials.

Answer. Yes, sir; I do not believe that \$100,000 of it was properly invested.

Question. I want you now to tell this committee how much money was deposited with Kimpton, the financial agent of the State; for what purpose; how it was drawn; upon whose orders; what contract was made with him about it; and who he is.

Answer. After Governor Scott was elected, the republican party concluded that they must have a financial agent in New York, and this man, H. H. Kimpton—whom nobody, it appears, knows either in New York or anywhere else as a financial man—was appointed that agent. He is a young man with no reputation, I hear. Bonds of the State were put in his hands to the amount of \$2,700,000. He gave no security, and no contract has ever been made with him at all. As the State authorities wanted money for their various purposes, they drew on him and he advanced the money.

Question. Either by the sale or the hypothecation of the bonds of the State?

Answer. Altogether by the hypothecation of the bonds, I think. We paid about 15½ per cent. interest for the money, according to his account, and his commission is to be added to that. It appears there has never been any settlement with him at all. I looked over his report; he reports in a line and a half to the comptroller general, simply saying "Herewith is my statement," and then he gives simply the amount received in bonds and the amount drawn in cash. He says nothing about interest, commission, or anything else.

By Mr. VAN TRUMP:

Question. Did you ever hear that this young man Kimpton came from Ohio?

Answer. No, sir.

Question. Did you ever hear where he came from?

Answer. No, sir.

By Mr. BECK:

Question. Does he pay upon the order of Treasurer Parker, the land commissioner, and others, when they draw their private checks or their official checks upon him?

Answer. That I cannot tell you. I think the governor says that all checks and drafts have to be countersigned by the governor. In regard to this transaction about the land commission, I inquired how the governor would sign a check for such a large amount and not know there was fraud connected with it. I was told the other day by J. Hudson Wigg, the probate judge in Richland County, that that draft was not signed by the governor, but that Parker drew direct on Kimpton, in New York, and got the money.

Question. I want you now to state what party of men got possession of the railroad from Greenville to Columbia, how they did it, how they paid for it, and all the facts connected with the purchase of that road by government officials, as distinctly as you can.

Answer. The road was bought up in this way —.

Question. First state the length of the road and of its branches.

Answer. The road, including the branches, I think, is one hundred and seventy-odd miles in length. It runs from Columbia, the capital, to Greenville, and it has two branches—one to Spartanburg. I forget the other branch, but it makes no difference about that.

Question. State the manner in which they obtained possession of that road.

Answer. Some of these gentlemen—they are called there "the ring"—

Question. Give the names of those believed to be in it.

Answer. They are supposed to be Parker, the State treasurer, Neagle, the comptroller general, Governor Scott, H. H. Kimpton, the financial agent, Timothy Harley, the great New York lobbyist, and three or four others.

Question. Is there any South Carolina man among them?

Answer. Yes, Joe Crews.

Question. Any except Joe Crews?

Answer. No, sir.

Question. That is known as "the ring?"

Answer. Yes, sir; those and three or four others; there are eleven of them, I think.

Question. How did they get possession of that road?

Answer. Common rumor says, and I never heard it contradicted, that they employed Governor Orr, and J. P. Reid, who was a candidate for Congress against Mr. Hoge, to buy up the stock.

Question. They were directors for the old stockholders?

Answer. Yes, sir; it was bought up at a very low figure, for \$1 75 to \$2 a share; the par value of a share being about \$25.

Question. Did the State own any of the stock?

Answer. Yes, sir; the State owned \$30,000, I think.

Question. Was it not \$300,000?

Answer. I will not be certain about the amount, but the State owned a large amount. They bought up all the stock.

Question. State stock and all?

Answer. The State sold its stock to them. The transaction was so fixed up that they sold it themselves and took it themselves, and got the money from Kimpton, in New York, to pay these other parties.

Question. Do I understand this to be the fact, that they employed the old directors to purchase from the original stockholders under them?

Answer. Yes, sir.

Question. And then sold the interest of the State to themselves?

Answer. Yes, sir.

Question. And then paid for the road by the hypothecation of State bonds in the hands of Kimpton, who was himself one of the ring?

Answer. Yes, sir.

Question. And they now own that road?

Answer. Yes, sir. They then divided the road into ten or twelve shares, I think—\$25,000 a share.

Question. After having paid none of their own money for it?

Answer. Yes, sir.

Question. And those shares were divided among this ring?

Answer. Yes, sir; they own the whole road.

Question. And they are the government officials?

Answer. Yes, sir.

By Mr. VAN TRUMP:

Question. Are they now running the road?

Answer. Yes, sir; but they are now about to sell out to our road; I mean by "our road" the old South Carolina road. But they want such an enormous price for it that we have not yet concluded to buy it.

By Mr. STEVENSON:

Question. State what they want for it.

Answer. That is of no consequence; the negotiation is pending between the two roads.

Question. I would like to know what they ask.

Answer. They want \$700,000 in our bonds, and have us assume all the liabilities of the road; that is what I understood they will take.

By Mr. BECK:

Question. Another thing: do you know whether that same ring, composed of the officials you have already named—the others besides the executive staff I believe were senators and representatives in your State legislature—do you know what steps they took to obtain possession of the notes of the bank of the State of South Carolina, and what provision they made for the payment of those notes after they obtained possession of them?

Answer. Yes, sir.

Question. State that transaction fully.

Answer. This same party—Joe Crews, I believe, was the most conspicuous man in the matter—Crews and his friends bought up the bills of the bank of the State of South Carolina. That bank was connected with the State, and the State was bound for the redemption of the bills. It was a State institution.

Question. The bank had failed?

Answer. After the war all the banks broke. The State bank was worth nothing; its building was burned, and there was no bank; we never considered that there was any bank at all. They went to work and bought up the bills at ten cents on the dollar. After they had bought all the bills they had a bill passed through the legislature call

ing in the bills of the bank of the State of South Carolina, and appointed a committee, of which Joe Crews was the chairman, to receive, count, and burn the bills, and to report to the legislature the amount that each party owned. An act of the legislature was then passed that the bills should be funded, dollar for dollar, in the bonds of the State, and subsequently to that another act was passed that the interest on those bonds should be paid in gold. That is the transaction in regard to the bills of the bank of the State of South Carolina.

Question. How much did the committee report?

Answer. They reported that they had counted and burned bills to the amount of \$1,250,000.

Question. Was that \$1,250,000 owned by this ring of men at the time?

Answer. Nearly all of it.

Question. That amount was reported to have been burned, and bonds of the State were issued for that amount?

Answer. I will not be positive that it was \$1,250,000, but it was very near that amount.

Question. Funded at par?

Answer. Funded at par.

Question. In bonds of the State bearing interest payable in gold?

Answer. Yes, sir.

Question. And the bonds were issued to this ring of men, government officials, who had bought the bills at ten cents on the dollar?

Answer. I do not know of an individual who owned a dollar of these bills, but those parties, except one old gentleman from Philadelphia, Pennsylvania; he owned a considerable amount, and he had to pay \$3,700 in greenbacks for getting this bill passed.

Question. He had to pay that to get in?

Answer. Yes, sir.

By Mr. VAN TRUMP:

Question. Was he understood to be in the ring?

Answer. No, sir; he was outside, and they made him pay \$3,700 to get in.

By Mr. STEVENSON:

Question. Who was he?

Answer. I think his name was Weeks, but I cannot be positive; he was from Philadelphia. I had a letter from him on the subject.

By Mr. BECK:

Question. Is there any other assurance that these bills were, in fact, destroyed except the word of the men who themselves owned them?

Answer. No, sir; and nobody believes that they are destroyed; at least, our people do not believe it; we have no idea that they are destroyed.

Question. The men who owned the bills were the men who were designated to count and destroy them?

Answer. Yes, sir.

Question. And the belief is that they are not destroyed at all?

Answer. That is the belief.

Question. And it is expected that they will come in again for another haul?

Answer. Yes, sir; that is the expectation.

By Mr. VAN TRUMP:

Question. How was it known or understood that this Philadelphia gentleman paid \$3,700 to get the bill passed? Did this ring draw upon him for that amount as his share for getting the bill passed?

Answer. No, sir; he paid that out of his own pocket before the bill was passed.

By the CHAIRMAN:

Question. To whom did he pay it?

Answer. I would rather not say; it came to me in a private way.

Question. I want to know to whom he paid it.

Answer. It is said that he paid it to Speaker Moses.

Question. Give his full name.

Answer. Speaker Moses, of the house of representatives—F. J. Moses.

By Mr. COBURN:

Question. Do you know anything about that personally, or is it a mere matter of rumor?

Answer. It is what I have been informed.

By Mr. STEVENSON:

Question. Do you say the same men to whom the bills belonged counted them, and reported that they had destroyed them? You say the chairman of the committee was

one of the ring, as you call it. Did the whole of the bills said to have been destroyed belong to the ring?

Answer. I cannot answer that question; I do not know whether they did or not.

Question. Do you know any other member of that committee?

Answer. There were three of them; the other two were colored men. One was a man by the name of Bosemon, said to be a very honest man; I do not want to impeach his character.

Question. Who was the other?

Answer. I do not remember now.

Question. So far as you know, they do not belong to the ring?

Answer. Not so far as I know.

Question. Was Bosemon a man of sufficient intelligence to count money?

Answer. I cannot tell that; I never said a word to him in my life; I have only seen him passing along.

Question. You have some intelligent negroes in South Carolina?

Answer. Yes, sir; a few.

Question. Especially in Charleston and Columbia?

Answer. Yes, sir.

By Mr. BECK:

Question. Was there or not an order at the last session of the legislature for the furnishing of the House of Representatives, and a bill produced there by the chairman of the committee appointed to do it?

Answer. Yes, sir.

Question. State who he was, what was the amount of the bill produced, and what was done in regard to it.

Answer. At the session before the last there was a resolution passed the house that a committee be appointed to purchase furniture for the house of representatives; the senate had been finished and furnished before. This committee was appointed, and Mr. John B. Dennis was the chairman of it. When the legislature met the last time the new furniture was all in; the house was furnished most superbly. A great deal was said in the papers about the extravagance; a great deal of talk was made about the carpets being so fine and about the magnificent chandeliers and spittoons, and one thing and another, for an impoverished people. Even several republicans said to me that it provoked them to see so much extravagance, when we were so little able to afford it. It was a theme of conversation with everybody. When the bill came in it amounted to \$95,000. That created a terrible excitement in the house. We had only twenty-three members in the house, I believe; some of them moved that the bill be printed, but they would not print the bill. One of the members said it would cost \$2,000 to print the bill, and that they had better not print it. They staved it off until the very last day of the session. When they had spent \$200,000 or \$300,000 in the way of expenditures, they brought in another bill for two hundred and odd thousand dollars on the very last day of the session, out of which this \$95,000 was to be paid. But the governor, who had taken a very decided stand in regard to the reckless expenditure of the public money, swore that that bill never should be paid. He vetoed the bill, and the senate sustained the veto. Since then some gentlemen, interested to see what on earth this bill could be for, how the things could cost so much, because there were the goods to show for themselves, ferreted the matter out. And although the highest prices were paid for this furniture, three or four or five times its value—for instance, \$750 was paid for one mirror in the speaker's room; each official has a separate room for himself, most gorgeously fitted up, with toilet sets, and all the paraphernalia of a dwelling-house; clocks, at \$480 apiece; chandeliers, at \$350 —

Question. How many spittoons were there?

Answer. There were two hundred fine porcelain spittoons at \$3 apiece.

Question. There were only one hundred and twenty-four members.

Answer. Yes, sir,

Question. What were the bills really found to foot up?

Answer. The bills were obtained and sent to Columbia, and we had them published in all the papers. They foot up to fifty and some odd thousand dollars; I have the bills myself.

By Mr. VAN TRUMP:

Question. So that reduced the bill about \$40,000 below what it was first put at by the committee.

Answer. They never reduced it at all.

By Mr. BECK:

Question. The actual bill was \$50,000 and odd, and the bill as presented to the legislature and passed was \$95,000.

Answer. Yes, sir.

By Mr. STEVENSON:

Question. Passed through the house?

Answer. Yes, sir, and through the Senate, too; but the governor vetoed it, and the senate sustained the veto.

By Mr. BECK:

Question. Was not Governor Scott, while in Washington here, within the last few weeks, threatened with a recall of the legislature to impeach him because of his vetoing that bill?

Answer. It was so said; that was the common rumor there.

Question. Was there not an investigating committee appointed by the house of representatives to look into alleged election frauds in the case of Reid and somebody?

Answer. Yes, sir.

Question. Reid and who?

Answer. Reid and Illege.

Question. Of which Joe Crews was chairman?

Answer. Yes, sir.

Question. What was the amount spent in that investigation?

Answer. The bill brought in there for expenditures was an enormous bill; I do not remember the amount exactly.

Question. Do you remember about the amount? Was it not \$63,000?

Answer. It seems to me it was between \$60,000 and \$70,000.

Question. I want to call your attention to the Dunbar fee.

Answer. At any rate, this was in the bill: \$7,500 was charged in the bill by Crews, who made out the expenses, for lawyers' fees and services.

Question. Paid to whom?

Answer. To James Dunbar, of the firm of Chamberlain, Dunbar, and somebody else. Of course it was talked of, and Dunbar very promptly came forward and said that he had never received a dollar, that he had never rendered any services, had never been consulted, and had never received a dollar. The other members of the committee say they never consulted any lawyers at all, because Wright, one of the associate justices of the State now, and Elliott were both on the committee. They say they discussed the propriety of calling in legal advice, but as both of them were lawyers they did not call in any at all. This bill was a gross fabrication; they never consulted any lawyer at all, and Dunbar says they never paid him a dollar. The attorney general was instructed to take steps to indict Crews for embezzling the public money. Crews went before the committee investigating this matter, and told them at the very off-start that he did not intend to answer any question that would criminate himself. As soon as they commenced questioning him about this money, and if he paid it to Dunbar, he said, "I decline to answer that question," and so on throughout. And when he was threatened afterward with being indicted, he defied them and said that they did not dare to do it, that they would first have to make an appropriation to enlarge the penitentiary, for he would put the half of them in there.

By Mr. VAN TRUMP:

Question. What did he mean; half of the legislature?

Answer. The whole concern connected with the government, I suppose.

By Mr. BECK:

Question. And the prosecution was dropped?

Answer. Yes, sir; and the money has been drawn and paid.

By Mr. STEVENSON:

Question. What money do you mean?

Answer. The bill he reported for expenses has been paid.

Question. Paid before or after the investigation?

Answer. Paid before the investigation. The money was done paid and gone; he rendered in his account and drew the money, and it was too late to get it back.

By the CHAIRMAN:

Question. Did he file any receipt for that money?

Answer. No, sir; he could not produce any receipt at all.

Question. Did he get the money without a receipt? How did he get the money?

Answer. I do not know; they have so many ways of doing this thing that I cannot tell about this.

By Mr. BECK:

Question. Crews reported this \$63,000, or whatever it was, as expenses, and the house ordered it to be paid?

Answer. Yes, sir.

Question. And he got that much of it as the Dunbar fee?

Answer. He got \$7,500, that much of it, for Dunbar says he got none.

By Mr. VAN TRUMP:

Question. Is this Chamberlain the attorney general of the State?

Answer. Yes, sir; the firm is Worthington, Chamberlain & Dunbar.

By Mr. STEVENSON:

Question. Who had the handling of that money?

Answer. The chairman of the investigating committee, Crews. He went into those counties, employed clerks, called witnesses, staid as long as he pleased, and had everything his own way, and reported that it took so much money to pay the expenses.

By Mr. BECK:

Question. What proportion to the number of the house of representatives do the employes bear who belong to the legislative department of your State?

Answer. I asked Governor Scott that question the other day, and he could not tell me; I asked his secretary, and he could not tell me; but they all admit that there are more attachés to the house of representatives than there are members; about one hundred and fifty of them.

Question. All paid by the government?

Answer. All paid by the government, about \$6 a day. Every committee has its clerk, and some of them cannot read and write.

By Mr. BLAIR:

Question. Some of the clerks?

Answer. Some of the clerks cannot read and write. They have more pages in the house of representatives there than you had here in the whole Congress when I was in the city the last time before this. I do not know how many you have now.

By Mr. VAN TRUMP:

Question. How long does a session of your legislature generally last?

Answer. From three to four months. I think the last session was over a hundred days.

By Mr. BECK:

Question. Do you know anything about the running of a faro bank in the capitol during the last session of the legislature?

Answer. Current rumor says there was one there all the time.

Question. In the capitol building itself?

Answer. Yes, sir.

Question. In the same building in which the legislature had its session?

Answer. Yes, sir.

Question. What relation do your taxes now bear to what they were three or four years ago?

Answer. From five to seven times as much as they were, I think. It seems to operate differently. You can form no idea of the rate of tax from the reports of the officials. You may have a piece of property worth \$2,000. You are taxed for that property, not on the \$2,000 that it is worth, but on the \$6,000 that it is assessed at. The rate is fourteen mills on the dollar; but you do not pay fourteen mills on the dollar, but three times that amount, for your property is assessed at three times its value. That is the great difficulty in South Carolina. I have heard men from other States say, "You ought not to complain of your taxes, for they are not so high as in my State. You pay fourteen mills on the dollar, and I have to pay eighteen mills on the dollar." But the difficulty is in the increased valuation.

By the CHAIRMAN:

Question. Do you mean that all over the State property is assessed at three times its value?

Answer. Sometimes at five times its value, and sometimes at not any more than its value. Sometimes they come very near the correct value, and then again they go away up beyond its value.

By Mr. BECK:

Question. In regard to property in your own town that you yourself have had the management of, or a knowledge of, will you state the facts in relation to that particular property, what is its valuation now, and what was it three years ago?

Answer. My own tax, of course, I can speak of. It is about five times what it was; I should think it was at least that.

Question. On property of the same value?

Answer. The very same.

Question. Do you know in regard to others?

Answer. That is the talk among my friends, all of them. This matter was discussed freely in the conference with the governor, and these facts were stated; a lawyer making a speech said so, and the governor did not seem to deny it at all. He mentioned several parties in his neighborhood who had paid \$150 tax a few years ago, and now they pay \$900.

Question. Who was he?

Answer. Major T. S. Davis, of Columbia.

Question. On the same property?

Answer. On the same property.

By Mr. BLAIR:

Question. In consequence of increased valuation?

Answer. Yes, sir. His hotel is valued at three times what anybody would give for it, and it is taxed accordingly.

By Mr. VAN TRUMP:

Question. There is nominally the same rate of taxation?

Answer. Yes, sir.

By Mr. BECK:

Question. Is it or not the fact that in very many instances good property, that heretofore paid a good rent and returned a fair profit to the owner, will not now pay the burdens imposed on it?

Answer. There is some property that the parties have informed me did not pay them anything at all; that after they paid the State and city taxes there was nothing left to come to them. The governor told me himself that he only paid \$40 tax last year; I was speaking about his tax and offering to purchase coupons for him to pay his tax with, as they were selling for only 80 cents on the dollar. He said that \$40 was hardly worth buying coupons for. But when he made his return he found he had \$575 tax to pay.

By Mr. VAN TRUMP:

Question. How do you account for the state of facts which you say exists in relation to your taxes?

Answer. Some property is taxed about right, but others five times too much.

Question. Is that a matter of favoritism toward certain people, or how is it?

Answer. I will state the facts and leave you to draw your own inference. There is a committee, or a board, appointed, tax commissioners I think they are called; a board of equalization; they receive the reports of the county assessors, and then they decide that such a man must pay so much on his land, and another man pay so much on his.

Question. Is this board of equalization frequently made up of negroes?

Answer. I believe most of them are negroes. They meet together, and without seeing anybody at all, decide that such a man must pay so much and another man so much. The way it is so unequally distributed is this: Adjoining plantations are sometimes very different in value, as you all know. A man may own a plantation on a large creek or river, and it may be worth \$20 an acre; while his neighbor may own an adjoining plantation, but it may be of poor land not worth a dollar an acre. But this board of equalization cannot tell those facts; they are there in their office and merely make out their statements and decide that the tax must be so much, and it has to be paid. And in that way a man who has a plantation worth \$30,000 may not pay any more tax than the man whose plantation is only worth \$5,000.

By Mr. POLAND:

Question. The valuation of your property is done by whom, to begin with? Who is the first officer who does that?

Answer. The assessor.

Question. The assessor in each county?

Answer. Yes, sir; he goes around and receives returns from the owners that they own so many acres of land, for instance.

Question. He assesses all the property in the county?

Answer. Yes, sir.

Question. And then all these county assessors make their returns to whom?

Answer. To the board of equalization.

Question. In the county?

Answer. Yes, sir, in the county; I think the board of equalization consists of three members, and they sit at the court-house.

Question. Then you have virtually one assessor in the county?

Answer. Only one.

Question. And one man does the whole of it throughout the entire county?

Answer. Yes, sir; it is very easily done, it is done very quickly.

Question. He returns all the taxable property in the county, real and personal?

Answer. He receives it from the owners themselves.

Question. You have a board, then?

Answer. Yes, sir.

Question. Of how many does it consist?

Answer. Of three members.

Question. They take the assessments which the assessor returns?

Answer. He merely makes the return of the amount of property each man owns, so much land and so many horses, &c.

Question. He makes a return of the amount of property?

Answer. Yes, sir.

Question. Does he swear to that?

Answer. The parties making the returns to him swear to them.

Question. Does this assessor assess the value in the first place?

Answer. No, sir; I do not think he assesses at all; he merely receives the returns.

Question. And those returns go before the board of equalization?

Answer. Yes, sir.

Question. Of the county?

Answer. Yes, sir.

Question. And they make up the amount of tax to be paid by each man

Answer. Yes, sir; and then the collector collects it.

Question. Does that go before the legislature at all?

Answer. No, sir, it does not go to the legislature at all; we must pay it, much or little.

Question. There is no equalization between counties by the legislature?

Answer. No, sir.

Question. The decision of the county board of equalization is final in regard to the valuation of property for taxing purposes?

Answer. You can appeal to the State auditor; I had occasion to appeal myself on my own property, and I appealed for several of my friends. But when you appeal to him the State auditor requires you to bring from the county auditor a recommendation that a reduction be made. That is the only chance we have of redress.

Question. If there is any inequality produced between different classes of property, it is done by this county board?

Answer. The county board of equalization. The difficulty we have to contend with is that they are totally incompetent.

Question. You have spoken about property being assessed at more than its value. Is there any inducement to the board of equalization to tax property above its value?

Answer. They all belong to one political party, and they want to raise all the money they can, that is all; their inducement would be to have as much money in the treasury as possible; they all get paid from the same source.

Question. They have nothing to do with laying the tax?

Answer. No, sir; but the amount of the tax depends upon the valuation of the property.

Question. Yes; but would it not be just as easy to have the property all assessed at its true value? could you not assess the tax on it just as well?

Answer. Of course, if the government is honestly administered; but the party in power do not desire that fact to come forward; they do not want the people, the outside world, to know that we are paying a double tax.

Question. Your idea is that there is a concerted understanding among the boards throughout the State to put in property at a fictitious value?

Answer. That would seem so.

Question. That is your belief?

Answer. Yes, sir.

Question. For the purpose of having the taxation appear less than it really is?

Answer. Yes, sir.

By Mr. STEVENSON:

Question. Does the same process of valuation apply to personal as to real property? Does this county board assess the value of the stock on the plantations, and all the personal property?

Answer. I am not positive about that.

Question. Somebody must see that property?

Answer. I think they take the owner's statement of the value of his property.

Question. Do they require his statement to be made under oath?

Answer. I think so. I think it is only the value of the real estate that they assess.

By the CHAIRMAN:

Question. Is there any valuation fixed upon real estate, either by the owner or by the assessor, before it reaches the board of equalization in the county?

Answer. I think not; the personal property is valued by the owner.

Question. The board assesses the value of the real estate only?

Answer. I think so; we used to value our land and everything ourselves, but it is not so now.

By Mr. COBURN:

Question. You said something about rents being high before and low now; what time do you refer to as "before?"

Answer. Three or four years ago, in 1866, 1867, and 1868.

Question. What kind of property did you have reference to?

Answer. I was alluding to a friend of mine, who came on from Alabama the other day; he has \$10,000 worth of property in Columbia, and he spoke to me with a view of getting me to act as agent for him. Said he, "My agent here has not paid me anything at all; he says it takes all the money to pay the taxes."

Question. That is the only property you alluded to?

Answer. That is what I was alluding to just at that time; I know many others similarly situated.

Question. If you know of any other cases than that I would like to have you mention them.

Answer. I have seen in all the public prints property advertised for sale for taxes.

Question. You said something about the board of equalization valuing some property very high and some low. How do you know that?

Answer. The same way, I suppose, that I know that General Grant is President of the United States.

Question. Did you ever look over the lists of property as valued by them?

Answer. I saw the list in regard to my own property.

Question. Did you examine the list in regard to the property of other parties, as to whether it was valued high or low?

Answer. Not with reference to testifying on the question.

Question. With reference to whether that was the fact?

Answer. Yes, sir.

Question. How thorough was your investigation?

Answer. I do not pretend to say that I made a thorough examination.

Question. You have testified as to what happens all over the State, and we want to know how far you made the examination.

Answer. I meant to give you the general system upon which taxes are levied in our State.

Question. I know. But you stated that as a general rule certain property is valued high and certain property is valued low. Do you pretend to say that is the fact?

Answer. I find that out by talking with persons who complain of their taxes; who say, "I pay so much, and you do not pay so much as I do, though your property is worth more than mine."

By Mr. BECK:

Question. Will you state whether or not you know, or have information upon which you rely, that members of your legislature and of your State government receive bribes, and are generally corrupt in their management of public affairs?

Answer. That is the common talk, and some of them do not deny it. I have the same reason to believe it that I have to believe anything else I know, but which I cannot swear to, because I did not see it.

Question. Does or not the known existence of the fact that the money of the people is so squandered by corrupt officials cause great discontent among the people?

Answer. Yes, sir, very great.

Question. Does or not the incompetency of the local boards, the inequality and practical injustice in the administration of the tax laws by the local county boards, cause that dissatisfaction to extend down through each county where the cause exists, in regard to the local officials?

Answer. Yes, sir; undoubtedly so.

Question. That and the militia system?

Answer. Yes, sir.

Question. Did that militia system involve the disarming of the white people, as well as the arming of the negroes, or did it merely prevent the organization of the white people as militia?

Answer. We were prevented from organizing; we were not allowed to organize or to drill. No company could arm or drill without being commissioned by the governor. During the canvass rolls of companies were put in my hands, and I was requested to go personally to Governor Scott and ask him to commission those men. I did so upon various occasions, and he invariably refused.

Question. While the negroes were generally armed?

Answer. Yes, sir; and furnished with ball and cartridge. They paraded and drilled at nights; they did so in front of my house.

Question. Do you know whether or not there were many incendiary fires, from time to time, all through the State of South Carolina?

Answer. Yes, sir; more or less all the time, as many as fifteen or sixteen gin-houses burned in one county.

Question. By incendiaries?

Answer. Yes, sir.

Question. Do you know whether or not prominent republican members of the legislature, among others Joe Crews, advised the negroes that matches were cheap, &c.?

Answer. I saw his printed remarks in, which he said that the negroes had a right to protect themselves, that they had arms, and they were fools to allow the white people to control the country; that if any of them were killed they could burn every house within ten miles space, and that would stop it; that matches were cheap, only five cents a box. All such as that was talked of very freely.

By the CHAIRMAN:

Question. You say he made a speech of that character, which you saw published?

Answer. Yes, sir; it was published in all the papers.

By Mr. COBURN:

Question. What was the date of that speech?

Answer. Just before the last fall election.

Question. Where was it made?

Answer. He made that speech in Laurens.

Question. In what paper was it published?

Answer. It was published in all the papers of the State.

By Mr. STEVENSON:

Question. The papers of both political parties?

Answer. I do not know about the republican papers.

Question. Was it a full report, or only an abstract of what he said?

Answer. It purported to be a full report of his speech.

By Mr. BLAIR:

Question. I believe a large amount of money was appropriated by your legislature for school purposes. What amount was appropriated, and how has it been spent?

Answer. They appropriated \$50,000 for the benefit of free schools, for the purpose of establishing schools in the different districts. They appointed, at the same time, thirty-one district or county school commissioners, and one general State school commissioner, and it took \$34,500 of that \$50,000 to pay the commissioners.

By Mr. VAN TRUMP:

Question. That is, there was one commissioner for each county?

Answer. Yes, sir; so that each school commissioner received \$1,000 for paying out for the benefit of the schools in his county not quite \$500; and many of them could not write.

By the CHAIRMAN:

Question. Is that the only duty he performed?

Answer. That is all; there was no other duty. That is what I wanted to say at first was what caused the discontent in South Carolina. Just such things as that have caused all the dissatisfaction, so that the sober people of our community cannot control our young men.

By Mr. VAN TRUMP:

Question. Do you know any country on God's footstool that approximates to any such condition?

Answer. If I were to talk a week I could not tell you all that is going on just like that.

By Mr. BLAIR:

Question. What salaries are paid to the State officials?

Answer. About twice or three times the old salaries; I cannot give you the figures. Formerly, the secretary of state, the comptroller general, the state treasurer, and all our officers received salaries in the neighborhood of \$2,000 a year; some received \$1,800 and some \$2,000. They employed their own clerks, staid in their own offices, and attended to their own business themselves. Now those same officers receive salaries of \$5,000 a year, and are allowed \$1,200 and \$1,800 for clerks, stationery, and other expenses. The secretary of state is allowed \$1,800 for clerks, and the comptroller general is allowed \$1,500.

Question. How do the present expenses of the legislature compare with former times?

Answer. The single item of stationery for the house of representatives used to cost \$600; now it costs over \$16,000. The printing of the legislature used to cost — I forget exactly how much, but it was only a few thousand dollars; now it costs thirty odd thousand dollars.

By Mr. VAN TRUMP:

Question. How about the contingent funds of the several departments?

Answer. Every officer of the State, I think, has a contingent fund, from Hubbard, of the State constabulary, up to the highest.

By Mr. BLAIR:

Question. You have already spoken of the number of pages, clerks, &c., for the legislature. How many committee-rooms have they?

Answer. I do not think they could well be counted; I believe they furnished almost every room in town as committee-rooms.

By Mr. VAN TRUMP:

Question. Outside of the capitol building?

Answer. Away out in the town; over the bank, in the building where my office is.

By Mr. BLAIR:

Question. They called them committee-rooms?

Answer. Yes, sir.

Question. What were those rooms used for?

Answer. The members slept in them, ate in them, and staid in them generally.

Question. You say you cannot give the number of them?

Answer. I cannot; they are all over town. Mr. Arnim, a republican senator from Edgefield, called my attention to the matter one day. Said he, "They have been hauling furniture to that building ever since early this morning; and I observe it is state-house furniture." That is, what we called "state-house furniture," gorgeous furniture.

By Mr. VAN TRUMP:

Question. How many committee-rooms in the capitol building proper?

Answer. There are a large number; the speaker has a room; there is a cloak-room; the committee on the judiciary has a room; the clerk of the senate has a room; the clerk of the house has a room. I could not tell how many rooms there are there; a large number of them.

By Mr. BLAIR:

Question. Did the tax-payer's convention, lately held, exculpate the State officers at all?

Answer. No, sir; not at all. If that is the idea given you by any testimony here, it is a great mistake. They exculpated the State government in regard to the amount of the State debt. It had been stated in the canvass that the public debt was fourteen, fifteen, or sixteen millions of dollars. It is impossible to tell how much the liabilities of the State amount to, from indorsements in so many ways. But we estimated the debt very much larger than the republicans contended it was; and this tax-payer's convention decided, upon an examination of the papers, that the debt was between nine and ten millions, very nearly ten millions. In that respect Governor Scott was sustained. He said that we had exaggerated the debt, and that it was not more than nine or ten millions of dollars; in that the convention sustained him. But the difficulty still exists in regard to the liabilities of the State. The discrepancy between the treasurer and the financial agent in New York is some thousands of dollars. The agent says it is not his fault, and the treasurer says it is not his fault.

Question. There is a discrepancy in their accounts?

Answer. Yes, sir. They make out their returns at different times, and it is smothered up in some way so that we cannot get at the truth. I think a committee was appointed by the legislature to go to New York and examine the books there. It is admitted on all hands that there is a discrepancy, and we do not know what is the amount. The agent of General Sprague, United States Senator from Rhode Island, in the town of Columbia, has bought the right of our canal there for the purpose of putting up a large factory. He applied to the legislature to amend his charter, and give him some privileges in the way of extending a dam across the river. His agent told me the other day that they refused to pass it because he did not "grease" them sufficiently; that he could not get the charter amended without paying from \$5,000 to \$10,000.

Question. What is the condition of the planters now, as compared with former times; do they now raise hogs, cattle, &c., as formerly?

Answer. No, sir; all that has been broken up entirely. There is not one in fifty now who pretends to raise any stock. I knew a gentleman, over in Edgefield, who used to kill two hundred head of the finest hogs every year; he does not now own a hog in the world; he says that they have cleaned him out, that the negroes have shot and stolen them all. They do not pretend to keep any.

Question. And for that reason?

Answer. Yes, sir; for that reason; the negroes steal them and kill them.

Question. Has there been much destruction of property in the State since the war; if so, how has it been destroyed?

Answer. A great deal of property has been destroyed there by incendiary fires, a great many gin-houses have been burned, and a good deal of cotton destroyed in that way.

Question. By whom?

Answer. By the negroes who become dissatisfied at the payment of their wages, or their portion of the crops. My brother and myself had our gin-house burned. A negro claimed some cotton-seed and we did not let him have it, and our gin-house was burned up with seventy bales of cotton.

Question. In regard to the killings in your State; have all the killings there been done by white men?

Answer. No, sir; there have been a great many white people killed by negroes, a great many. There were five white men killed in one county by negroes—I think five white men were killed in one county; and only two negroes killed in that county since the war; and that is one of the disturbed counties, too.

By Mr. VAN TRUMP:

Question. What county is that?

Answer. I think it is York County; five whites and only two negroes have been killed there since the war.

By Mr. BLAIR:

Question. Have you ever heard any threats made there by republicans that there would be blood-shed?

Answer. Yes, sir; and some of the most dangerous and incendiary kind you can conceive of. I did not think there was so much bitterness in the colored people until the night the news reached Columbia of the disturbance in Laurens, the day of the election. In half an hour after that news reached Columbia two companies were out in full uniform, armed and equipped, with wagons loaded with provisions, ready to start up the country. It was with great difficulty that we could prevent an outbreak that night; I never worked harder in my life than I did that night to prevent an outbreak. I heard them say that they were going up the country if Governor Scott would let them go, and they would not leave a house standing, and they would sweep even the cradles. I heard them say that.

Question. Was it on account of those threats and facts that corresponded with the threats that the whites found it necessary to make some organization?

Answer. It was that disturbance, and the demonstrations that grew out of it, that called us together and induced us to form that "constitution of the council of safety." I honestly believed that night that we were in imminent danger. The negroes went down to the armory and kept guard there all night; they fired volley after volley through the streets, and fired into several houses, right there in Columbia, right there under Governor Scott's nose. He had himself to send down and stop it; I never saw such a demonstration before in my life as there was there that night.

Question. Are the republicans, so far as your knowledge extends, obstructed in the expression of their political sentiments?

Answer. No, sir; it is our party that is obstructed in the exercise of our privilege of voting, decidedly more than the other party. As to a man's political sentiments, the people of South Carolina do not care whether a man is a republican or a democrat; it is of no consequence to us. There is a Northern man there, from Philadelphia, a Dr. Moore; I never knew he was a republican; never thought of asking him what he was until a few days ago; and he has been there over a year. We do not care about a man's political sentiments, if he does not go and talk with the negroes and excite them. But it is very dangerous there for a negro to vote anything but the republican ticket; several have been mobbed for doing it. There was one, I owned myself formerly, who told me that he had never voted any but the democratic ticket when he voted. When he came down to Columbia he told me he was going to vote the same way there, that he was going to vote the same way I was going to vote. But on the day of election he said he would not go to the polls, that he believed he would be killed if he went to the polls and voted the democratic ticket.

Question. Do you believe there is any systematic effort on the part of the republicans to compel all the negroes to vote the republican ticket?

Answer. Yes, sir; and it is made so perfect a system that it is impossible to break through it; there is no inducement you can offer that will get them to break through it, and their very ignorance is what contributes to that; they cannot read, and they are sworn in their leagues not to vote for anybody, not even to take ballots from the hands of anybody, but certain persons stationed at the polls; and after that oath has been administered to them, when they come to the polls those persons put tickets in their hands and they vote them and no others. The difficulty we find is that they have all the managers and all the commissioners of elections, and they vote just as often as

they please. A boy in my employ was arrested in town there for voting the fifth time. I stood by and saw boys vote who I was confident were not sixteen years of age. But you could not say anything about it; the excitement was so great that it was absolutely dangerous to express any sentiments against it at all. I asked several, "Are those boys of age?" The reply was, "They say they are."

Question. You spoke of notices having been sent to radicals holding office to leave; do you believe all those notices are genuine?

Answer. No, sir. I have myself frequently heard republicans say they had themselves frequently sent them to their own friends just to annoy them. They have been made public as soon as they had got hold of them, and nothing was done at all; so it has been proved in several cases.

Question. Do you know a man by the name of Baker, of Spartanburg?

Answer. Yes, sir. He was a miner, or pretended to be one, and came there and undertook to work a mine there. We think there are some gold mines there. He moved over there a large lot of rubbish and machinery, and had it all heavily insured. He undertook to get the State constabulary to protect him. He represented that he had been shot at; but it was proved afterward that he shot himself slightly in the arm, and then told the governor and other parties that he had been shot at, and wanted protection. And he hired a negro to burn out his whole establishment, so that he could recover the insurance money. The thing leaked out, and he fled the country, and has not been heard of since. All the rubbish is still there. It was all a trick on his part to make out that he was in danger.

Question. That he was threatened by the Ku-Klux, and his establishment burned by the Ku-Klux?

Answer. Yes, sir; so that he could get the insurance money, and make something by the operation. The negro he hired to burn it up has testified to that effect.

Question. Was it not shown that all the machinery he had there was a lot of rubbish?

Answer. Yes, sir; not worth the quarter of what it was insured for.

Question. Was there not a large amount of fraud practiced in your State at the last election?

Answer. Yes, sir; some voting a dozen times, perhaps; women and children voted. Women gave votes for their husbands, or their brothers, who they said were sick. After we elected a few members they voted them right square out of the legislature. We elected some of our candidates by a hundred and odd majority; yet the legislature declared their seats vacant. They did every thing according to their own count. These are facts which are on record. I think many of these facts were developed in the Bowen and De Large controversy, that has been going on in Charleston. Yes, sir, boxes were opened and votes were changed. They committed fraud in a dozen different ways. I know a gentleman whose uncle voted for him, and they found the ticket on which his uncle had written his name, in his own hand-writing, and they had afterward scratched it out. I am certain that if we had had any election at all we would have elected the members of the reform party, or the democratic party, in fourteen counties, perhaps in more. We thought we stood a good chance in sixteen counties out of the thirty-one. After we had been defeated in all the counties, the people became perfectly wild with excitement, and we were apprehensive that we could not control them, and General Kershaw and General Butler both believed that something had to be done to prevent the people of the State from being precipitated into a revolution, because the people knew they had been defrauded out of their rights in the election.

Question. Your election law gives every facility for fraud?

Answer. Yes, sir. A correspondence took place between Mr. Chamberlain and myself. By the way, I like him very much; he is a very fair man, and he was desirous of giving us every facility so to enable us to act.

Question. The governor had power to appoint all the commissioners of elections, and they appointed all the managers of elections?

Answer. Yes, sir.

Question. Did he in any single instance appoint anybody but a partisan?

Answer. No, sir. The attorney general came to me before the election and asked me what I proposed. I told him all we asked was that the governor should appoint one single commissioner in each county, or one manager in each county, of our party, and let the other two be of his own party. We had three or four conferences, but he refused to do it.

Question. In every instance?

Answer. Yes, sir.

Question. So that every person appointed as a commissioner or a manager of election was of the republican party?

Answer. Yes, sir; whether we were in the majority or in the minority in a county, it was all the same.

Question. And the law gave those persons the custody of the ballot-boxes for ten or fifteen days after the election?

Answer. Yes, sir; the managers had them for five days, and then they turned them over to the commissioners of elections, and they kept them for five days more.

Question. Did you ever hear anything or do you know anything in regard to the practice of selling painted sticks or stakes to the negroes?

Answer. Yes, sir; parties went through the State frequently, selling stakes and pickets to the negroes for a dollar and two dollars a piece; all the colored men in Edgefield bought them.

Question. What was the idea in reference to those stakes?

Answer. They were all numbered and painted, and the negroes were told that if they bought those stakes they could after this year go anywhere in the State, and wherever they found forty acres of land that they wanted, all they had to do was to drive down one of those stakes, and that would secure it to them.

By the CHAIRMAN:

Question. Can you designate who did that?

Answer. No, sir; they kept out of our way; in some places they did it openly; I heard a gentleman say he saw some selling those stakes.

Question. Can you tell who they were; where they came from?

Answer. Undoubtedly they were foreigners, Northern men, who came there for the purpose of drilling the negro up to doing everything to aid them and that party.

Question. I am not arguing the question; but tell us the name of any one man, whom he saw, and where he came from.

Answer. I cannot give the names, for I did not find them out for several months after they had passed through the neighborhood.

By Mr. BLAIR:

Question. I do not think it likely they would have given their names to intelligent men.

Answer. I think you had one man before you who could tell you.

By Mr. VAN TRUMP:

Question. Who was he?

Answer. Mr. Pierce, of Alabama.

By the CHAIRMAN:

Question. He said he saw them sold at a barbecue in 1863?

Answer. He said they were sold openly. I never tried to find out the name; I knew it was a fact, but did not think the name was of any consequence.

By Mr. BLAIR:

Question. Do you think the negroes, as a class, have any comprehension of the importance of a ballot?

Answer. No, sir; they do not know what a ballot is or what voting means. I met some of them going from an election at one time, and asked them if they had voted; they said "No." I asked, "Did you not go up and vote?" They said, "No." I asked, "Did you not go up to a little box and put a piece of paper in the box?" They said, "Oh, yes, we did that; Uncle Dick marched us around, gave us a little paper, and told us to put it in the box." I told them that was what was called voting; they said they did not know that was voting.

Question. Do you know anything about a man named Bigger, who was whipped in Sumter County?

Answer. That man held some position there, county treasurer, county commissioner, or something of that sort, and has acquired a large amount of property, real estate, and he had a store there. One of the greatest annoyances in South Carolina are these little liquor establishments that will buy up anything that a negro will bring to them. You cannot help yourself now, because they are free and they have a right of course to sell anything they have got. The result is that they will get over into a cotton-field at night, pick a bag of seed-cotton, carry it to one of these dram-shops, and sell it for a song. Some of our farmers do not realize anything from their crops. This man had been carrying on extensively in that way, it is said; all the cotton would disappear from the fields, and he would get possession of it in that way. He became so obnoxious that they told him he must leave.

By the CHAIRMAN:

Question. Where was that?

Answer. In Sumter County.

By Mr. BLAIR:

Question. Did they whip him?

Answer. Yes, sir; they gave him notice to leave, and he did not leave by that time,

and they waited on him and told him he would have to stop that; if he did not they told him what they would do.

By Mr. VAN TRUMP :

Question. Is it understood down there that any person who buys from a negro what is called seed-cotton, cotton with the seed in it, is necessarily buying stolen property?

Answer. Ten times out of ten he is buying stolen property, and they seem to understand it. In Florida they had to run off parties in the same way. I was out there, for I have a place there I am interested in. A man there who had a patch of four acres of cotton had sold forty bales; he never planted but four acres, and the people would not stand that. They did not disguise like Ku-Klux, but they went to him openly, and gave him a month to leave the country, or they said they would kill him; and he pulled up and left. In South Carolina they do it differently, by disguising and going to them and telling them to leave.

By Mr. BLAIR :

Question. If a negro is detected in crime of this kind, or in any petty crime, or even in any of the larger crimes to which negroes are addicted, and is convicted by the courts, is it not very frequently the case that he is pardoned by the governor?

Answer. Yes, sir; the number the present governor has pardoned is very large indeed; it is surprising to see the number. I started one day to count from his reports the number of persons he had pardoned; I counted up to two hundred and six, and there was a large number still left. I think they would amount to perhaps three hundred.

Question. In one year?

Answer. In one or two years.

Question. What class of crimes?

Answer. Mostly larceny, but a great many house-burnings, &c. By way of explanation I will say this much for Governor Scott in that respect; I do not think he is so much to blame. For instance, a negro will commit larceny; he is employed by myself in the country; he is one of my hands in the crop; he is tried and convicted; I want his services on my place; I care nothing about what he stole; and frequently I will get up a little petition in the neighborhood, go down to the governor with it, ask him to pardon this negro that thus I may obtain his services in my crop. It is wrong and demoralizing, but it is done very often.

Question. Is that a cause of dissatisfaction in the community?

Answer. Very great, because these negroes come out and go at the same thing again.

Question. And others are encouraged to do likewise?

Answer. Yes, sir. Besides if they are not pardoned out, if they serve out their full term, they are deprived of their right to vote. The pardoning of so many criminals, and turning them loose, is a source of great dissatisfaction.

By Mr. POLAND :

Question. Speaking of these outrages and acts of violence, and murders, whippings, &c., that have been committed against colored men and republicans; you say you think they have been done mainly by the same class of men who were bushwhackers soon after the war?

Answer. I think so; that is my impression.

Question. What kind of men are they?

Answer. They are young men who have no families, no property; they are pretty much outcasts; some of them have committed such acts at home that they cannot go home for fear of arrest, and they just float about in the community.

Question. They own no property?

Answer. They own no property; from experience I can say this much; because in my neighborhood, where they were so bad at one time the officers would say, "Why don't you have these parties arrested?" The military authorities would come into the neighborhood and say, "Why didn't you arrest these parties?" We would ask, "How can we arrest them?" How can we stop the Ku-Klux? It is a pretty difficult matter to do; because if you inform against those men, and they find it out, they would burn you up; they would burn up a democrat, perhaps, as quick as any body else for that.

Question. These things, you say, have been discountenanced and spoken against, and the public sentiment of people of any respectability and property is against it?

Answer. Yes, sir.

Question. And has been all the time?

Answer. Yes, sir; I think so.

Question. You do not think the people of property in the State have encouraged these things at all?

Answer. No, sir, I do not. Mr. Gabriel Cannon, quite a leading man in Spartanburg, told me he made a speech the other day against it, and his county is about as bad as any.

Question. Still you say that these outrages have been caused mainly by the bad government and the extravagance and corruption of the State government?

Answer. Yes, sir.

Question. You think that?

Answer. Yes, yes.

By the CHAIRMAN:

Question. In regard to the Columbia and Greenville Railroad; was it an incorporated company, one chartered by a former legislature of South Carolina?

Answer. Yes, sir.

Question. Do you remember the amount of its capital stock?

Answer. No, sir; I do not.

Question. Was it a million, or a half a million, or how much? You can give some approximation to the amount.

Answer. It was about a million, I rather think; in the neighborhood of a million.

Question. Have you any more definite idea now than you had before whether of that stock the State owned \$30,000 or \$300,000?

Answer. It was either 30,000 shares or \$300,000 in stock.

Question. You think it was \$300,000 that the State owned?

Answer. Yes, sir.

Question. Then the State owned not quite one-third of the capital stock of the road?

Answer. Yes, sir.

Question. And private individuals owned the remaining \$700,000?

Answer. Yes, sir.

Question. Was the corporation itself bankrupt?

Answer. No, sir.

Question. Was the road in running order?

Answer. Yes, sir; it was running but not paying anything.

Question. The stock was worth, you say, 10 cents on the dollar?

Answer. It was worth about \$1.75 or \$2 a share.

Question. How much was the share?

Answer. A share was \$25.

Question. I understood you to say it was worth about 10 cents on the dollar?

Answer. I suppose it was worth about that.

Question. Was there any obstacle in the way of anybody going into the market and buying up the shares from individual owners?

Answer. No, sir.

Question. Was there any act of assembly which authorized the sale of that portion of the stock owned by the State?

Answer. I think there was an act passed, but it seems to me it was subsequent to the sale of that property, giving power to certain parties to sell any stock of the State.

Question. A general law?

Answer. Yes, sir.

Question. Authorizing who to sell; the State auditor?

Answer. I do not remember who it was.

Question. Was there any authority of law to sell that portion of the stock owned by the State, either by a general or a special law, before the purchase was made of the individual stockholders?

Answer. I do not think they had any authority to sell it.

Question. Was that authority obtained afterward?

Answer. I think the act was passed afterward.

Question. I understand you to say that private parties, those persons denominated "the ring," bought up the stock belonging to individual owners, who had a perfect right to sell or not as they thought proper?

Answer. Yes, sir.

Question. They all sold with the exception of the old Philadelphia gentleman you named?

Answer. No, sir; that was in regard to the bills of the bank of the State of South Carolina.

Question. Did not the persons who bought that stock pay the market value of it at the time they purchased it?

Answer. That was about all it was worth in the market.

Question. When it came to passing legislation authorizing the sale of the stock which the State owned, was that legislation passed by a party vote, or did men of both parties vote for it?

Answer. You might say there was but one party. Up to that time I do not believe there were a dozen democrats in the house.

Question. How did those dozen vote? Was there any distinction between their votes and the votes of others?

Answer. I never looked into that matter.

By Mr. BLAIR :

Question. Was this stock that belonged to the State sold before the authority was granted to sell it ?

Answer. I am almost certain of that.

By the CHAIRMAN :

Question. That is the point I want to get at, whether the stock that belonged to the State was sold before or after the act authorizing the sale of stocks ?

Answer. There was a general law passed empowering certain parties to sell such stocks of the State as it was necessary to sell ; that law I am satisfied was passed after this transaction in regard to the Greenville railroad.

Question. What officer made the sale of the stock in that road before he had authority to sell it ?

Answer. The parties who took possession of the road had the stock bought up ; the ring—I cannot designate it in any other way than the parties who owned the road—they took the stock of the State, or at least they say the State owns no stock in it now.

Question. The testimony which the committee is now taking, of course, will be made public in the future, and I desire that honest men, if there are any, shall be exonerated and rascals shall be made known and, if possible, punished ; you will, therefore, give us the name of the officer who without authority of law sold the stock of the State in the Columbia and Greenville Railroad.

Answer. I cannot give the committee the name.

Question. Tell who did it, and when that stock was sold.

Answer. That is a matter I cannot tell, for it has never been published ; there has been no date attached to it.

Question. Do you know that to be so ?

Answer. It has never been denied, and it has been charged time and time again.

Question. Do you know that to be the fact ?

Answer. I do not know so myself personally.

Question. Do you say here that any officer of the State sold the stock which the State held of the Greenville and Columbia Railroad before he had authority of law to sell it ?

Answer. I cannot say so of my own knowledge.

Question. Upon what authority do you say it ?

Answer. Upon the same authority that anything else is established ; for instance, you believe firmly in the Ku-Klux ; I believe firmly that stock has been sold.

Question. Upon what basis do you rest your belief ?

Answer. Everybody says so.

Question. Is that the only authority, that everybody says so ?

Answer. Yes, sir ; it is published in the papers.

By Mr. BLAIR :

Question. Has it been denied ?

Answer. No, sir ; it was published in all the papers.

By Mr. BECK :

Question. Was the fact that it was so sold by that ring to themselves charged in the public speeches in the campaign and nowhere denied ?

Answer. I am not certain about that charge having been made use of in public speeches during the canvass ; but it has been printed in the papers, and it has been talked of by our friends, and with them too ; and I never have heard it denied at all. It seems to be an admitted fact, like a great many other things. Of course I cannot testify to it of my own knowledge.

By the CHAIRMAN :

Question. Does this railroad company make annual reports which are published either in the newspapers, by their own authority, or by authority of the legislature ?

Answer. I believe they have made no report since they have had charge of it.

Question. Are they by law required to make any report ?

Answer. I think not.

Question. Do the State officers make any publication of the stocks belonging to the State ?

Answer. Yes, sir.

Question. By what officer or officers is that statement made public ?

Answer. The comptroller general makes that report.

Question. When ?

Answer. Every year.

Question. Does his report show in detail what stock the State holds ?

Answer. That report will show.

Question. When was that report made ?

Answer. At the last session of the legislature, last winter.

Question. Does that report state whether that stock is or is not now owned by the State?

Answer. I cannot tell you ; I did not think to look.

Question. You have never looked ?

Answer. I have never looked.

Question. And without looking at that report you say here, on oath, that you believe that stock has been sold to these parties without authority of law ?

Answer. I say that is my belief.

Question. You have never examined any official record which would enable you to say whether that is so or not ?

Answer. I never have.

Question. Do you know whether or not that is in the report of the comptroller general ?

Answer. I do not.

Question. What period do you fix for this unlawful transaction in the sale of stock ?

Answer. Some time in 1870.

Question. At what time in 1870 ?

Answer. I cannot say what time.

Question. If your belief be correct, that stock ought to be accounted for in the report of the comptroller general, or else it ought to stand there to the credit of the State.

Answer. One or the other ; yes, sir.

Question. In reference to the bills of the bank of the State of South Carolina, for which circulation the State was responsible, how were those bills bought up ?

Answer. Bought up ? I do not know what you mean. They were bought for 10 cents on the dollar.

Question. Was it open to everybody to buy up those bills ?

Answer. Certainly ; everybody could buy who chose.

Question. Was there any advertisement in the public newspapers that showed that that circulation was for sale ?

Answer. No, sir.

Question. In whose hands was that circulation ; in the hands of private individuals ?

Answer. It was scattered all over the State.

Question. That circulation was issued before the war ?

Answer. Yes, sir.

Question. And the State was responsible for its redemption ?

Answer. Yes, sir. I had some myself, but I never believed it would be worth anything.

Question. Did you sell it ?

Answer. No, sir ; I kept it ; I knew nothing about this transaction until it was called in.

Question. It was a preëxisting debt or liability of the State before the war, one not forbidden to be paid by the fourteenth amendment to the Constitution of the United States ?

Answer. Yes, sir.

Question. There was no legal obstacle to the final payment of the circulation, if the finances of the State permitted the payment of it ?

Answer. No, sir ; there was nothing of that sort ; but nobody believed that circulation would be paid dollar for dollar in our then impoverished condition.

Question. You say these persons, or this ring, bought up that circulation, and then procured an act of the legislature funding it in the bonds of the State ?

Answer. Yes, sir.

Question. Payable when ?

Answer. I do not recollect how long those bonds run.

Question. How many notes had those parties bought when that act was passed ; or, I will ask you, in the first place, what was the whole amount in circulation ?

Answer. I do not know what the circulation was ; it was very hard for anybody to tell. The war came on and the bills went out of circulation right off.

Question. What had been the circulation of the bank before the war ; five hundred thousand dollars or a million of dollars ?

Answer. Over a million, I think.

Question. How much of that million had these persons bought ?

Answer. The amount of that circulation in bills was two or three millions of dollars ; and I think these parties bought up \$1,250,000.

Question. Then there were outside of the ring, if there were three millions of circulation, some two millions of dollars belonging to others ?

Answer. There ought to be, somewhere, but we do not know whether they were destroyed during the war or not.

Question. On the supposition that there were three millions of those bills in circulation, this law which you say was passed, funding them, would inure to the benefit of the holders of those notes, whoever they might be ?

Answer. Yes, sir.

Question. Was there anything wrong in providing for the payment of that debt of the State?

Answer. We conceived that it was a great injustice to buy up the bills at 10 cents on the dollar and then fund them dollar for dollar.

Question. You had as much right to buy them for that price as anybody else?

Answer. Yes, sir; so far as the right was concerned.

Question. Anybody had the right to go into the market and buy them at 10 cents on the dollar?

Answer. Yes, sir.

Question. Was there any violation of good faith or of good morals in the legislature passing a law to fund that liability of the State?

Answer. I cannot say that there was, only that the parties who bought them up knew to an absolute certainty that they would get dollar for dollar for them, which nobody else could know. Of course, in that respect it was a great injustice. They knew they would pass a bill through the legislature funding that circulation dollar for dollar; nobody else could know that but they.

Question. The objection you make, then, is that those persons were public officers, and in that capacity they ought to have given the State the benefit of the transaction; that is the objection you make?

Answer. Yes, sir.

Question. Taking it in its legal aspect, there was no wrong in the State meeting that liability?

Answer. No, sir; but the thing was done in a secret way; the bills were first bought up by these parties, and then public notice was given calling them in.

Question. The same law that provided for funding this liability of the State required the circulation to be destroyed?

Answer. Yes, sir.

Question. You say it is believed, or suspected, that the circulation which these parties bought up was not destroyed?

Answer. Yes, sir.

Question. Upon what is that suspicion founded?

Answer. Just the character of the man who had the management of it.

Question. You then follow that by saying that you believe the whole circulation will again come up, and again be paid over; how do you believe that can be done?

Answer. You could not identify the bills unless they were numbered; the supposition is that there are more bills somewhere.

By Mr. BLAIR:

Question. Have they kept a record of the bills and the numbers of the bills that were destroyed?

Answer. They just reported that so many thousand were destroyed.

Question. So that if those bills are not actually destroyed they may be again produced and again paid for, because there is no record of the destruction of those identical bills?

Answer. No, sir.

By the CHAIRMAN:

Question. Do you know that there is no record?

Answer. The matter was spoken of; it is contemplated to call on the committee to furnish a statement, but the understanding is that they have no statement.

Question. Whose duty was it made to issue the bonds that were to be given in lieu of this circulation; what officer of the State?

Answer. The comptroller general.

Question. What is his name?

Answer. J. L. Neagle.

Question. It was his duty, then, before he issued the bonds, to see that the circulation to be redeemed by those bonds was destroyed, was it not?

Answer. No, sir.

Question. Whose duty was it?

Answer. They locked the door and did not allow anybody to go in.

Question. What did the law provide?

Answer. The law provided three persons, named the parties, of whom Joe Crews was one, and there were two others; they went into a room and locked the door, and let nobody in.

Question. Who were the others?

Answer. Two republicans.

Question. I want their names.

Answer. Bosemon was one.

Question. Who was the other?

Answer. I do not know ; it is a matter of record.

Question. They had reported that they had destroyed this circulation ?

Answer. Yes, sir.

Question. In the face of their official report, do you wish it to go out, with the sanction of your oath, that you believe they did not destroy it ?

Answer. I have no hesitation in saying so.

Question. Do you wish the statement to go out, with the sanction of your name and under oath, that the report made by this committee of the legislature is not true ?

Answer. Let me understand your question.

Question. The committee appointed to discharge that duty having reported that they did destroy those notes of the bank, do you wish it to go out, with the sanction of your name, and under oath, that you believe they did not destroy them ?

Answer. I think it is very doubtful whether they did or not. As I said before, I do not know these other men, and I do not wish to do them injustice ; but I do know Crews. My answer is simply this, that Crews is a man nobody would believe on his oath.

Question. Is that the only reason you wish to give for that belief ?

Answer. He has embezzled the public money, and done other things, so that I do not think it at all improbable that he has acted in that way in this matter.

Question. As to the two other members of the committee, do you say that you believe they reported contrary to the facts of the case ?

Answer. No, sir ; I will not say a word about them, because I do not know.

Question. Could a report have been made without the concurrence of the other members of the committee ?

Answer. Very easily, as he did identically the same thing in the congressional investigating committee.

Question. Do we understand you to say that you believe those two gentlemen, whoever they may be, would hear a report of that kind made, knowing it was not true, and permit it to be made in the legislature with the sanction of their names ?

Answer. I do not know what they would do.

By Mr. BLAIR :

Question. They were both negroes ?

Answer. Yes, sir ; such as those on the other committee, the congressional committee, who said they did not employ Dunbar and pay him over \$5,000.

By the CHAIRMAN :

Question. The committee report that this circulation was destroyed, and you mean it to be understood that it was not destroyed ?

Answer. They reported that as a committee.

Question. Then you say that before a bill could pass the legislature authorizing the funding of this circulation, a gentleman from Philadelphia, named Weeks, as you thought, paid \$3,700 to Mr. Moses, speaker of the house. What knowledge have you of that transaction ?

Answer. I was told so by one or two republicans.

Question. Name them.

Answer. I was told so in general conversation ; I cannot remember now who they were ; it was during the session of the legislature. I talked with a great many persons, but did not make any note of it ; we were speaking of the different manners of making money, and they said such was the fact.

Question. Did they say they had seen money paid to Mr. Moses, or knew that Mr. Moses had received it ?

Answer. I think one of them said he saw a letter from this man in Philadelphia, whoever he was, and that he had to fork over \$3,700 to Moses ; that was the remark.

Question. For what ?

Answer. For passing the funding bill.

Question. Was that to be distributed, or did it belong to Mr. Moses himself ?

Answer. I do not know as to that.

Question. Is Moses's vote on the record for that bill ?

Answer. I do not know as to that either.

Question. You do not know how that is ?

Answer. No, sir.

Question. Conceding that you have had bad men in the South Carolina legislature, (and I think there is not much doubt about that,) it is important that those who are good men, if there are any, should have the benefit of it. Was there anybody else with regard to whom you have as distinct information as in reference to Moses, who got money for passing bills of any character ?

Answer. I do not like to give information of that character, where I cannot get at it nearer than that. I hate to say what persons told me, because that is hearsay testimony.

Question. You have said that in regard to Moses.

Answer. I know; but I do not like to go into that sort of thing. But it is the general talk there that nothing can pass the house without Moses says so; he has more influence than all the rest put together.

Question. Are the members thus charged members of any one particular party?

Answer. As I remarked just now, there is no necessity to offer a bribe to any of the reform members, because there are not enough of them to control the vote at all.

Question. How many are there in the present legislature?

Answer. There are twenty-three in the house, out of one hundred and twenty-four members.

Question. Have you never heard, in the same way as you heard about Moses, that any one of those twenty-three members ever received any money or were ever bribed?

Answer. No, sir; I never have.

Question. As a matter of fact, did any of those twenty-three members ever vote for any of those schemes you called jobs?

Answer. So far as I know, as a general thing, those reform members voted against all those schemes; the phosphate bill, the funding bill, the gold bill, the sterling loan bill—they voted against all those bills.

Question. You think, then, that whatever corruption there has been in the legislature is confined entirely to members of the republican party?

Answer. Entirely so, for the simple reason that our members are so few; not that I mean to say that our members are irreproachable in that respect; I would not like to say that there was not a member in our party that could not be bribed.

Question. I am not speaking of the possibility, but of the fact.

Answer. I do not think any of them have been bribed, from the simple fact that there was no temptation in their way; we had only seven votes in the senate, and twenty-three in the house.

Question. Then take the Columbia and Greenville Railroad case, and the bank case, in which so many members of the legislature must have participated; has any one of the members of the legislature or of the State officers, who must have participated in those things, been the victim of any violence in your State?

Answer. No more than receiving notices, I believe; a few of them received notices; I have heard some of them laughing among themselves about the notices they had received, and they said they thought they knew who sent them.

Question. I am not speaking of notices, but of acts of violence.

Answer. I think some members of the legislature, perhaps, have been waited upon.

Question. Have any of them been whipped or killed?

Answer. No, sir; I do not believe a member has been killed or whipped; they have been waited upon, and a great many of them have never gone home at all, but they are in Columbia now. Crews would not go home.

Question. They have only been threatened?

Answer. Yes, sir.

Question. How many are there in Columbia?

Answer. From ten to twenty all the time, I think; they do not belong there.

Question. Is it from fear of violence that they remain there?

Answer. They say they do not think it safe for them to go home; not healthy for them. They have made plenty of money, and they will stay there.

By Mr. BLAIR:

Question. Where is Crews from?

Answer. He is from Laurens.

By Mr. VAN TRUMP:

Question. Does he stay in Columbia?

Answer. All the time.

By the CHAIRMAN:

Question. Has he ever been visited by these parties who have committed acts of violence?

Answer. Only in the great row after the election. He ran off, and everybody supposed he was killed; I suppose they would have killed him if they had got him.

Question. How much does the valuation of real estate in South Carolina this year exceed the valuation before the war?

Answer. I do not know.

Question. Is it equal to it?

Answer. There has been a great change in the valuation, and it is hard to arrive at a conclusion, from this fact, that a large portion of our old tax was raised on our slaves. That is done away with, and that has to be added to the tax on real and personal property.

Question. Was it not a matter of fact that the valuation of slave property before the war largely exceeded the valuation of the real estate?

Answer. Yes, sir, I suppose so; real estate was valued very low; the valuation was very irregularly done; the tax collector went around and received your own account of your property; you were allowed to value your land at 50 cents or \$10 an acre, just as you pleased.

Question. That was before the war?

Answer. Yes, sir.

Question. Did that system give rise to any disturbance then?

Answer. No, sir; I cannot say that it did.

Question. It was submitted to them?

Answer. Yes, sir; but the expenses were so small and we paid so little tax that we did not care anything about it.

Question. But the principle was the same?

Answer. Yes, sir.

Question. Then, according to your account, the principle upon which the tax law is now administered is not worse than before the war; only the amount of tax levied under it is greater?

Answer. No, sir; but a very great difference. The difference is this: if you chose then to go before a tax collector and swear solemnly that your property was worth only 50 cents an acre, the people let that rest on your own conscience.

Question. As I understand you, before the war parties were left to make their own valuation?

Answer. That is what I am speaking of.

Question. And some of them valued their property at less than its real value?

Answer. Yes, sir; but such men were not respected.

Question. In practice it was the same as now?

Answer. Yes, sir; but now you have three ignorant men who do not know the value of property.

Question. Does it make any difference, so far as practical results are concerned, whether it is done by ignorant men, or by a man who knows what it is, but swears to a lie?

Answer. I think it makes a difference in the community, because you would not find an intelligent man undervaluing his land.

Question. You say it was done before the war?

Answer. I have no doubt land was valued before the war at less than its real value.

Question. Is your property, upon which you say you now pay five times the tax you did some years ago, valued above its actual cash value?

Answer. Yes, sir; about double what it would bring in the market.

Question. Did you appeal from that valuation?

Answer. Yes, sir.

Question. Was it reduced?

Answer. I got a reduction on mine.

Question. So that the machinery of the law is sufficient to secure redress if injustice is done?

Answer. My case should not be taken as an example.

Question. Why not?

Answer. Because I am on very good terms with the county auditor; he is a friend of mine, and I think he made it an exceptional case.

Question. You are one of the leading men of the Union reform or democratic party, are you not?

Answer. Yes, sir.

Question. And the secretary of the central State committee of that party?

Answer. Yes, sir.

Question. So that if political feeling could enter into the matter you would very likely be a victim to this overvaluation?

Answer. No, sir; and for this reason: I have taken a very active part since the war, in public speeches, in advocating the rights of the colored people.

Question. You think you obtain justice when other people could not?

Answer. I think that in that instance I did, when others would not.

Question. Have they tried?

Answer. A great many of them have.

Question. Did they fail?

Answer. Yes, sir; I made application for several of my friends.

Question. Your influence was not enough for them?

Answer. No, sir.

Question. Did you put it on the ground that it was right?

Answer. The county auditor took the case and said he would consider it.

Question. Do you consider that the auditor of the county was corrupt?

Answer. No, sir; I think he is an honest man, and gives satisfaction.

Question. You have made the statement that women voted at the last election their husbands and for their brothers; did you see that?

Answer. Not with my own eyes, but I think you will find it in the investigation.

Question. Have you information that satisfies you that it was done ?

Answer. Perfectly.

Question. In your own county ?

Answer. No, sir ; in counties below.

Question. In how many cases ?

Answer. I cannot tell.

Question. The question was asked you whether white men were not killed by negroes, and you gave an instance where five were killed ; were the negroes indicted and convicted ?

Answer. I did not learn.

Question. In what county was that ?

Answer. I think York was the county ; but I am not positive.

Question. You have information that five white men were killed there by negroes ?

Answer. Yes, sir.

Question. You have no knowledge as to the result ?

Answer. No, sir ; I think there will be a party here who may give you information upon that point.

Question. How long ago was that ?

Answer. Within the last two years, I should say.

Question. Killed in broils ?

Answer. I did not learn.

Question. You know nothing about the circumstances ?

Answer. No, sir.

Question. You were asked whether planters could keep their stock, and you said they could not ; that the negroes very frequently stole it ; you gave that as one of the reasons entering into the disturbed condition of affairs in your part of the State ?

Answer. Yes, sir.

Question. In blaming the negroes for that, do the large body of planters, of which I believe you are one, blame themselves in any degree for bringing about that state of affairs ?

Answer. Well, no, sir ; I cannot say that we do ; it is the natural inclination of the negro ; I think it is his natural disposition to pilfer ; he has had so little education before that he does not have any idea of right and wrong, or very little ; the most of them have not.

Question. In looking upon it, would it not be fair to treat the negro charitably, as that state of affairs is not his own fault ?

Answer. Yes, sir ; we do look upon it with a great deal of charity, for we voluntarily give up everything in that way. The stock was all killed out ; nothing was done ; we did not pretend to ferret it out ; when my hogs were killed I did not ask who did it.

Question. In other words, that disposition on the part of the negro is the result of the education given to him by the men who are now complaining of him ?

Answer. The truth is, we did not give him any education.

Question. It was the result of a want of education ?

Answer. Yes, sir, it was the result of want of education.

By Mr. BLAIR :

Question. He has more than his ancestors had, that the New Englanders brought over and sold to you ?

Answer. Yes, sir, more than that.

By Mr. POOL :

Question. What republican spoke to you of notices served on him ?

Answer. I cannot tell you ; personally I am friendly with these gentlemen ; we run on with one another, and we talked a great deal. I heard Mr. Hurley say that he believed such a one had received a Ku-Klux notice, and that he believed such a one—calling the name of another republican—had sent it. It is a common expression among the republicans, " You will be Ku-Kluxed ; " they make a joke of it.

Question. You never heard any republican say that he himself had sent such a notice ?

Answer. No, sir.

Question. Why do you think that Mr. Baker shot himself ?

Answer. In order to induce the governor and the authorities to believe that he was in danger, and needed a guard.

Question. What did he want of a guard ?

Answer. Under the pretense of carrying on some mining operations.

Question. What good would a guard do him ?

Answer. Well, he really did not want it. It was merely a pretense that he wanted a guard ; not that he really did want one, for the mining operations would not be interfered with by any one.

Question. What was the motive of his pretense ?

Answer. He had moved a large quantity of machinery there, and wanted it destroyed, so that he could get the insurance money on it, and wanted to make it appear that it was the work of the Ku-Klux; it was insured for more than it was valued at.

Question. Do you think he really shot himself?

Answer. A leading republican told me so the other day; I feel almost certain it was Mr. Hague, the governor's secretary, but I will not be positive about that; I think he told me it was generally conceded now that Baker was an impostor and had shot himself. I think that fact can be established very easily now.

Question. Was Mr. Baker visited by the Ku-Klux?

Answer. Not that anybody knows; he says that he was and was shot in the arm.

Question. Did a company of disguised men ever appear on his premises?

Answer. Not that anybody believes; I never heard of it if they did.

Question. Why do you think that he hired negroes to set fire to his establishment?

Answer. The negro himself says he did.

Question. Did you see him?

Answer. No, sir; but I was told by a gentleman from up there that the negro said he wanted him to set fire to all the machinery.

Question. What was that negro's name?

Answer. I do not know.

Question. What county was it in?

Answer. It was in Spartanburg.

Question. What gentleman from Spartanburg heard the negro say so?

Answer. I do not remember his name. I think I could get such information for you when I go back, if you want it; but I am a very poor hand at names.

Question. Who was it threatened to throw the State into revolution and general disturbance, when you said there was about to be a war of races?

Answer. No one threatened it, but we apprehended such would be the result, as the negroes were all armed, and we were not; they were organized, and we were not. They made such violent threats after that disturbance at Laurens as to what they would do; that they would wipe us out, kill all the children, burn all the houses, &c.

Question. Was there great excitement among the white people?

Answer. Very great.

Question. Did you apprehend the white people would be the prime movers in such disturbances?

Answer. No, sir; we expected to act on the defensive. The white people can have no object in creating anything of that sort, for we have everything to lose and they have nothing; we have every desire to keep the peace.

Question. You say the negroes were armed?

Answer. Yes, sir.

Question. And in a high state of excitement?

Answer. Very great.

Question. Would outrages upon colored men, such as going to their houses, taking them out and scourging them, taking negroes from jail who were accused of murder and hanging them, six or seven at a time, be likely to allay the excitement among the negroes?

Answer. No, sir; I should not suppose it would. The excitement that I am speaking of at that time was just after the election; but in the course of a very few weeks it died out almost all over the State, until it broke out up there in those particular counties upon the killing of Stevens. That is one thing that put that whole up-country in a blaze—the killing of Stevens—which was long after the election. They had all got comparatively very quiet then.

Question. Then you would not say that taking the negroes from their houses, by disguised bands of men at night, and whipping them, was calculated to allay the excitement?

Answer. I should not say it would; it would be an incentive to stir them up.

Question. It would be calculated rather to endanger the peace of the State?

Answer. Yes, sir.

Question. Do you recollect seeing any man selling those stakes you spoke of?

Answer. No, sir; I did not see him myself; I only know what my own servants told me. My servants never left me for several years; they staid with me. I overheard them laughing at one another about it, and I called them up and said to them, "Was any one of you fool enough to buy one of those stakes?" one of them said, "Yes, sir; Riel bought one." I said to him, "Were you such a fool as that?" he said, "Yes;" they said the whole neighborhood bought them.

Question. Was Bigger the man who took the poor-house in Sumter?

Answer. No, sir, that was Young, in Newberry.

Question. How far is Sumter from Columbia?

Answer. By rail, I believe Sumter County is about sixty miles from Columbia.

Question. You reside in Columbia?

Answer. Yes, sir.

Question. You gave the particulars of the whipping of Bigger very much in detail ; from whom did you get those particulars ?

Answer. I got them from a leading republican, if you want to know.

Question. What is his name ?

Answer. I do not like to tell ; may be he might not want it known.

Question. If he told the truth he would not object to his name being known ?

Answer. He might have told it in a confidential way as he considered.

[The witness made a statement to the committee, not as testimony, after which the question was not pressed.]

Question. What other outrages occurred in the county of Sumter ?

Answer. None, that I have ever heard of.

Question. What outrages have occurred in the county of Newberry ?

Answer. That was the scene of this last encounter, in which the county commissioner, Young —

Question. I mean aside from that ?

Answer. I do not know of any other in Newberry.

Question. You gave the particulars of that very minutely.

Answer. I know of no other.

Question. You never heard of any other in that county ?

Answer. I think not. There came very near being a disturbance on the day of the election, but fortunately the military marched in between the parties. But you will have a gentleman from Newberry who can give you all the particulars.

Question. Is it not rather remarkable that the negroes should be so ignorant as not to know what the word "voting" means ?

Answer. It would seem so to you gentlemen perhaps, who never have had much to do with the negroes. But, really, in the lower part of South Carolina you might see fifty negroes on a plantation and you could scarcely understand a word they said ; they could not direct you the way to a neighbor's house.

Question. Do you belong to any secret society or club at all ?

Answer. No, sir, none in the world ; Masons, Odd Fellows, or anything else ; I never joined such a society, and never would.

By Mr. COBURN :

Question. Do you suppose that some negroes voted the democratic ticket by mistake ?

Answer. Yes, sir, I suppose our party secured some of them ; but it was the hardest matter I ever undertook to do, even to get those to vote who wanted to.

By Mr. POOL :

Question. Do you know anything of the oath taken by the Ku-Klux ?

Answer. Nothing at all.

Question. Do you know whether they took any oath at all ?

Answer. I do not ; my impression is that they never took any oath at all.

Question. Did you ever understand what the oath was ?

Answer. No, sir ; I have inquired frequently of my friends from the upper country, and they said they did not know where they came from ; that there was something wrong going on, but they did not know where they came from.

Question. You say that some of the republicans have got up these Ku-Klux raids ?

Answer. That is our impression.

Question. In what locality did that occur ?

Answer. There was a gin-house in Edgefield burned, and we believed it was burned by some of the constabulary Governor Scott had there for the protection of the district.

Question. That might be so without their claiming to be Ku-Klux ?

Answer. It would cause another outrage in retaliation.

Question. You mean to say that the conduct of the republicans got up the Ku-Klux, not that the republicans themselves were Ku-Klux ?

Answer. In one or two instances—in one instance, I think—a party was raiding one night, four of whom were caught, and they were all negroes and belonged to the republican party.

Question. In what county was that ?

Answer. In York County ; I think you will have a gentleman before the committee that will tell you about it.

Question. When was that ?

Answer. I do not know whether it was this year or last year ; I think it was last year.

Question. What did that party do ?

Answer. I do not know. There are a great many things—and I ought to have said that before—that are done in the name of the Ku-Klux ; parties have taken advantage of this disturbed state of the country to redress in that way their private grievances.

Question. Is not that the natural tendency when Ku-Klux outrages go unpunished ?

Answer. I suppose it is, and all that is one reason why the good people generally are opposed to them.

Question. Why is there a better feeling toward you than toward other leading democrats?

Answer. After the war I took an active part in favor of the rights of the negroes, in my district, in Edgefield, in which there are some very leading, conspicuous men. Hon. Frank Pickens, formerly United States Senator; General Bonham, General M. C. Butler, General M. W. Geary, are all from Edgefield. I took that position in direct opposition to those gentlemen; I went much further than they did, but not so far as Governor Orr. I struck a middle ground, and it rendered me very unpopular there with some of my own friends, and some of my own kindred.

Question. Do you know anything about sending any arms up into Spartanburg by a firm in Columbia?

Answer. Not at all; I know the State sent arms, but I do not know anything about any other party sending them.

Question. I mean arms sent up to the democrats.

Answer. No, sir; I do not know anything about that.

Question. Do you know whether any arms were received by a firm in Columbia for the purpose of being sent up there and distributed among democrats?

Answer. No, sir; I do not.

Question. Do you know anything about any arms having been stored in the University building of your State?

Answer. I know it was not done.

Question. Did you hear of it?

Answer. I heard of it; I had two sons at the University, and I know it was not done.

Question. You think there were no arms in charge of a professor there?

Answer. No, sir; there is no one of the professors who would have anything to do with that kind of thing.

Question. What was the name of the professor charged with it?

Answer. It seems to me it was President Barnwell himself; but it was so ridiculous I did not charge my memory with it.

Question. Have you heard of outrages committed in the county of Spartanburg?

Answer. Yes, sir; I have heard of them.

Question. Many of them?

Answer. I heard that there were a great many up there; then again my friends would tell me that it was very much exaggerated, that there were not near as many as report made out. I think there is a gentleman here now who will tell you that the accounts were greatly exaggerated. The case of the whipping of the ten negroes there—it is said there were ten whipped there—occurred in this way: there was an arrest made of a gentleman by three of the State officials, trial justices; and after they arrested him and took him into their office—it was at night—they turned him over into the hands of an incensed mob of negroes, and they made him double-quick up and down the road until he fainted; and he would have probably been killed, but that one of the negroes who knew him came out of a house and rescued him and saved his life.

Question. What had he done?

Answer. He was arrested on a mere supposition that he had been guilty of some other disturbance; but it turned out that he was entirely innocent; they have found the right party since, and he has been convicted.

Question. And in consequence of that ten negroes were whipped?

Answer. It was supposed they were whipped by the friends of this man—ten of the negroes who made him double-quick up and down the road.

Question. How much whipping did they give them?

Answer. I do not know about that.

Question. Were they in disguise?

Answer. I think it may be they were, but I cannot tell.

Question. How many outrages other than that have you heard of in the county of Spartanburg by disguised men within the last twelve months?

Answer. I do not know that I can recollect any other; I might have heard them and forgotten them.

Question. You do not recollect hearing of any other?

Answer. No, sir.

Question. Have you heard of parties coming over from North Carolina across the line into Spartanburg?

Answer. That was the supposition, that parties came over the line and participated in these outrages; that was the supposition, but I do not know that it is so.

By Mr. VAN TRUMP:

Question. In regard to these ten negroes: were ten negroes whipped at different times, or were the ten whipped all at once?

Answer. Whipped at different times.

By Mr. POOL:

Question. Have you heard of any negroes being shot in Spartanburg?

Answer. No, sir; or, if I have, I have forgotten it.

Question. Have you heard of any negroes being forced from work on the railroad back to their farms?

Answer. I never have heard of that.

Question. Are the county officers of Spartanburg democrats?

Answer. Those elected by the people are democrats, I suppose, because the county is democratic; those appointed by the governor are probably republicans.

Question. Do you know of any officer there being notified to leave?

Answer. No, sir.

Question. Do you know of any outrages in Union?

Answer. Some.

Question. How many?

Answer. That Stevens murder was committed there; and then those negroes were taken out and hung. I do not know that I know of any but that.

Question. You have not heard of any negroes being whipped in that county?

Answer. No, sir.

Question. Nor of any being shot or hung except those?

Answer. They are all I have heard of.

By the CHAIRMAN:

Question. I find an act of March 1, 1870, "to provide for a sinking fund, and the management of the same." It designates certain officers as commissioners of the sinking fund, and directs them to sell "all such real or personal property, assets, and effects belonging to the State as is not in actual public use." Is that the act under which the stock of the Greenville and Columbia Railroad was sold?

Answer. No, sir; the stock was sold before.

Question. At what time was it sold?

Answer. I cannot tell you.

Question. I find that the comptroller general in making his report in December, 1870, says that this stock has been sold under that act. He says: "Since that date [November 1, 1869] the following have been sold under the provisions of the act of March, 1870, 'to provide for a sinking fund, and the management of the same,' viz, shares in Greenville and Columbia Railroad Company, \$433,960." Upon what authority, now, do you say that the sale was made before the passage of that act?

Answer. That was my impression.

Question. Do you say it now in the face of this official report?

Answer. No, sir; I would not contradict the official report; but that was my impression. If I had known I was to be asked that question I would have posted myself before coming here.

Question. Then according to this statement the sale was made pursuant to the law?

Answer. Yes, sir; I only said it was my impression that it was made before the law.

By Mr. BECK:

Question. You do not know whether this comptroller's report states it in that form, because of the subsequent ratification being equivalent to an original authority, or whether it was actually before the passage of the act?

Answer. I cannot say; my impression was that the transaction was before the sale.

By Mr. BLAIR:

Question. Was it talked about before the sale?

Answer. Yes, sir.

Question. As having been done prior to the passage of the law?

Answer. Yes, sir.

Question. You heard of the sale before the law was passed?

Answer. I heard it talked of as an operation they had gone into, and I supposed it was so; I had no knowledge of my own upon the subject.

By Mr. BECK:

Question. If not actually sold you think arrangements were made, and the law was passed, to carry the arrangements into effect?

Answer. Yes, sir.

NOTE.—[See page 110.] After the foregoing testimony had been given, the following was addressed to Senator Blair:

GENERAL BLAIR.

DEAR SIR: I am sorry I can't remain and revise my testimony. I would like you to strike out the question and my answer; I replied "yes" without thinking; but really Governor Scott was opposed to the Hellhole land purchase, and consulted counsel as to whether Parker could not be removed in consequence of that swindle. I will

appear as saying "yes" to your question, or inference, as to his objecting on the ground that it was not a fair division of the spoils. Such may have been his objection, but I would prefer not to make the accusation. I am, very respectfully, your obedient servant.

E. W. SEIBELS.

THURSDAY NIGHT.

WASHINGTON, D. C., June 24, 1871.

C. H. SUBER sworn and examined.

By the CHAIRMAN :

Question. In what part of the State of South Carolina do you live?

Answer. I live at Newberry Court-House, Newberry County.

Question. How long have you resided there?

Answer. I was born in the county; I have lived at the Court-House about twenty-two years.

Question. What is your occupation or profession?

Answer. I am a lawyer by profession.

Question. Will you now give to the committee the knowledge which you have derived from your residence there, and from your intercourse with the community, as to the manner in which the laws are executed in the State of South Carolina, or that portion of it with which you are acquainted, and the extent to which life, person, and property are secure there?

Answer. Well, sir, I go from home very seldom, and my opportunities for knowing about these difficulties from my own personal knowledge have not been so very extensive; but, so far as I know, in the community in which I live public sentiment is averse to a resort to violence for the suppression of crime; and there have not been any great difficulties in enforcing the laws. Indeed I think the civil arm is sufficient for the suppression of crime in the whole State, so far as I know, if it is properly exercised.

Question. Have there been any occurrences in your community which have called out an expression of the sentiment to which you have referred; have there been any cases in which violence has been resorted to for the suppression of crime?

Answer. There have been some disturbances there—some acts of violence—from time to time, in the district, since the war; but I know that the feeling of the people generally is to abide by the law. There have been some difficulties in enforcing the law there, for which there are several reasons.

Question. What are they? State them.

Answer. Our circuit has been inefficient; the circuit to which I belong (the seventh judicial circuit, composed of the counties of Laurens, Spartanburg, and Newberry,) has been inefficient in having an incompetent judge, who has lately resigned because articles of impeachment were found against him.

Question. Who was he?

Answer. Judge Vernon.

Question. Go on and state to what extent that fact interfered with the execution of the law in that district.

Answer. My impression is that if we had had a judge of the ability and power to urge upon the grand juries a sense of the importance of their office, and to compel them to look into the difficulties there, many of them would not have occurred. Our people, on that account, have lost respect for the courts somewhat, because of the uncertainty of trials. They do not attend the courts with that promptness that they formerly did; they have been disappointed so often. Our civil dockets have not been touched at all since November, 1869; so that you may say that, so far as civil business is concerned, the wheels of justice there have almost been blocked.

By Mr. VAN TRUMP:

Question. In that connection let me ask you when your judge resigned?

Answer. In the month of February last, I think.

By Mr. COBURN:

Question. Who succeeded him?

Answer. He is succeeded by Judge Montgomery Moses. We had a special term of the court in November, 1869, held by Judge Orr, as a favor to us, and he disposed of a number of cases on our issue docket, which had been accumulating there for a long time, and helped us along so far. But since then we have not been able to reach the civil docket at all; the whole time of the court has been taken up with sessions business—criminal business.

By the CHAIRMAN:

Question. A large amount of it?

Answer. A great deal of it.

Question. Of what classes of cases?

Answer. All sorts of cases, from the highest crimes to the lowest misdemeanors; murder, arson, robbery, burglary, larceny, and every description of crime.

By Mr. COBURN:

Question. How many terms of court a year, and what is the length of a term?

Answer. We have four weeks for our term, but the judges never give the other counties more than two weeks.

Question. How often does the court sit?

Answer. It sits three times a year.

By the CHAIRMAN:

Question. Four weeks in each county?

Answer. No, sir; we have four weeks in our county, but I do not believe they have so much in Spartanburg and Laurens.

Question. Has it been the unusual delay in disposing of the criminal docket which has led to the neglect of the civil docket?

Answer. Yes, sir; for instance, Judge Vernon was eleven days in trying one case of murder at the last term at which he presided, last September; eleven days in trying a case of murder, when a vigorous judge should have disposed of it in two or three days.

By Mr. VAN TRUMP:

Question. Where was Judge Vernon from?

Answer. Spartanburg.

Question. He was a native South Carolinian.

Answer. Yes, sir; and I wish to say in this connection that I never heard Judge Vernon's integrity or purity of character impeached. His incompetency arose from his habit of excessive drinking.

By the CHAIRMAN:

Question. Did he carry those habits on the bench, while in the discharge of judicial duties?

Answer. He was unfitted for his duties by reason of drinking. That was a matter that would have been inquired into if his impeachment had gone on.

Question. Was immunity given to crime in consequence of his tardiness in discharging his judicial duties; did crime increase in the circuit?

Answer. I think there was less respect for the court in consequence of it; I think the grand jurors were not sufficiently impressed with the importance of their office. My impression is that if the judge had waked up the grand jurors to the importance of their office, they would have ferreted out the acts of official misconduct and malfeasance in office, about which there was so much talk in our community, and that probably would have prevented disturbances that occurred in consequence thereof.

Question. Did you travel much through the circuit?

Answer. No, sir; I have not been above Newberry for four or five years.

Question. You have not been in Spartanburg and Laurens?

Answer. No, sir.

Question. Has there been any prosecution in any of those counties, so far as you are aware, for any of the offenses to which you have referred; those committed by violence for the suppression of crime, as you term them?

Answer. Yes, sir; there is an indictment pending now in Laurens against a number of persons in that county for a riot which occurred there at the election in October last. Judge Moses is holding the court at this time, and I dare say bills of indictment have been sent out against parties who were arrested for the riot that occurred there at the time of the election in October last.

Question. That riot was not one of the acts of violence which you allege have been committed for the suppression of crime; but it occurred in consequence of the election, or grew out of it?

Answer. I think it was an accidental thing; that it did not grow out of the election at all.

Question. It followed the election?

Answer. Yes, sir; it immediately followed the election.

Question. Have there been in the county of Newberry, in which you live, any of the offenses commonly known as Ku-Klux offenses?

Answer. Yes, sir; there was a trouble there on the night of the 13th of May last; the town was visited by a band of armed men, and an attack was made on a colored man named Young, the chairman of the board of county commissioners. He was wounded slightly by a shot, and he shot one of the party who made the attack on him—as I understand, a man named Faulkner.

Question. Were you in the town at the time this occurred?

Answer. Yes, sir.

Question. When was it, in the day-time or at night.

Answer. It was at night. I did not know of it, though, until the next morning; although it occurred but a short distance from where I slept, I did not hear the disturbance, and was not advised of it until I came out the next morning.

Question. How many men participated in it, according to your information?

Answer. It was variously estimated; I do not believe anybody knows how many there were. But it was supposed that there were from twenty-five to fifty or seventy-five; I have heard the number variously estimated.

Question. Were they disguised?

Answer. They were said to have been disguised.

Question. Was anybody identified connected with it, except the man Faulkner?

Answer. No, sir; I have not heard of any of the others having been identified.

Question. Did you see or know anything of the man Faulkner, who was shot?

Answer. Yes, sir; he did not live in Newberry, he lived in Edgefield; but he was frequently in Newberry. He lived near the line of Newberry and Edgefield, and the people in his neighborhood get their supplies at our town. He came there frequently, and I knew him.

Question. He was not, then, a citizen of Newberry County?

Answer. No, sir.

Question. What was the reason given for this violence upon Young?

Answer. Well, sir, I do not know what the reason was. The general impression is that Young had made himself very obnoxious in his office, as county commissioner, and the very next week following this affair he was indicted, tried, and convicted of malfeasance in office, and is now in the county jail of Newberry, by the sentence of Judge Moses.

By Mr. VAN TRUMP:

Question. What was the act he was convicted of?

Answer. There were three indictments found against him, I think; I am not certain under which one he was tried and convicted. I think it was this: The county commissioner is charged with the duty of letting out the repairing and building of bridges, and the repairing of the roads throughout the county. He was charged, in this case, with having let out to a man the repairing of a bridge for greatly more than the work was worth; and the man sublet the work, and had it done for greatly less than Young paid him. The county commissioners also have the letting out of the poor-house; and it was charged that in letting out the poor-house for this year he took the contract himself for \$500 to keep the poor-house, which is situated about four miles from town; and then he sublet it to a colored man for \$200. And it was in proof that he not only drew from the county treasury the \$500 for himself, but that he gave an order on the county treasury to pay the \$200 to the man to whom he had sublet it; so that he did not pay him out of his own money that he received for it.

By the CHAIRMAN:

Question. Those were the malfeasances in office for which he was convicted?

Answer. Yes, sir.

Question. Were the proceedings against him for those misdemeanors commenced before the time he was visited by that party of disguised men?

Answer. No, sir; they were commenced the Monday following by the grand jury looking into the county officers' affairs. They examined the county treasurer's books and the county commissioners' books, and made a presentment, which was followed up by an indictment being sent out to the solicitor.

By Mr. BLAIR:

Question. Were any of the other county officers indicted at the same time?

Answer. Yes, sir; the three county commissioners—himself and his two associates—were indicted. One of them escaped, and has not yet been arrested; the other is in jail with him now. There was also a trial-justice who was indicted and found guilty of malfeasance in his office; he is in jail. And one of the former county commissioners, who was in office last year, was tried for some such offense, and he is also in jail.

By the CHAIRMAN:

Question. Then there is no difficulty, at least in your county, in bringing public officials, who are corrupt, to justice through the medium of the courts?

Answer. I think there is no trouble on that score now.

Question. Had there ever been any effort made before this to bring them to justice in that manner?

Answer. There never has been. I think the grand jury, at a former term, did attempt to investigate these things, but for some cause or other they failed to get along with it.

Question. How long before the time that Young was visited by these men were the acts committed for which he has since been indicted and convicted?

Answer. Well, Young went into office last November; he was elected at the general election in October. These acts have been occurring all the time since.

Question. Since last November?

Answer. Yes, sir.

Question. How long is it since he was shot?

Answer. On the night of the 13th of May. I know it from the fact that I had just returned from the West; I had been away for some time, and got home the day before this thing occurred.

Question. Had there been any court, intervening, between the commission of any of these offenses by him, and the time he was shot?

Answer. No sir; we have not had any court since. The January term was not held in consequence of the suspension of Judge Vernon by his impeachment; the impeachment was pending at the time he should have held the court in January.

Question. What was the public sentiment in reference to that proceeding against Young, when he was shot; did it condemn it, or did it sustain it?

Answer. Well, sir, our people are averse to that sort of thing; they do not approve them.

Question. Was there any measure taken to bring to justice the men who have thus violated the law?

Answer. Well, sir, this man Faulkner was carried off to a house about four miles from the town. It seems that persons with him went to a livery stable in the town, and compelled a colored man there to hitch up a team to a wagon and carry him into the country, to a place about four miles distant. This old colored man returned in the evening, and the sheriff immediately arrested him and carried him to jail, and told him that he must tell who he had carried off and where he had carried him. He told him that he had carried off Faulkner, and had left him at a house about four miles from town. The sheriff carried him before a trial justice to make his affidavit. The only facts he knew were that a number of men had come to the stable with Faulkner, and compelled him to carry him off out of town. Whereupon the trial justice drew up a warrant against Faulkner for riot, in connection with persons unknown, and the sheriff took the warrant and arrested Faulkner on it, and brought him back to jail immediately. That was on Sunday, and he remained in jail until the next day, when he was admitted to bail.

Question. For how much?

Answer. In the sum of \$1,000, I think. The bail was good, so I have understood, perfectly good. Faulkner was then carried to his home in Edgefield County. How long he remained there I am not able to say; but he was carried off from his home to the house of a man named Williams, in the same county, some distance from where Faulkner lived. And it is said that during that week he was killed by some parties unknown.

Question. Have you any evidence as to what is the truth about that, whether he was killed or not?

Answer. Well, sir, the impression is that he was killed.

Question. By whom?

Answer. I have heard two versions; one is, that he was killed by some of his own party—by some of those who were acting with him—in order to prevent him from disclosing the names of those who were with him. Another version is, that he was killed in retaliation by other parties for the attack upon Young.

Question. Which do you think is the most probable view?

Answer. Well, sir, I am unable to give any opinion about it.

Question. Did the grand jury, at the court which tried and convicted Young, take any measures to investigate who had committed the attack upon Young?

Answer. Yes, sir; and a bill of indictment was sent out against Faulkner, under this warrant issued by the trial justice. Young was before the grand jury, and so was his brother, and a true bill was found against Faulkner for a riot.

Question. Was that tried at the same term?

Answer. No, sir; he had not been arrested, and it was reported at the same time that he had been killed.

Question. Of course you could not try him if he was killed.

Answer. You could not try him until he was arrested.

Question. You say he was arrested and gave bail for his appearance?

Answer. Yes, sir.

Question. Was he called in court to answer to the indictment?

Answer. Yes, sir.

Question. What answer did his bondsmen give?

Answer. There was no answer required. The case was put upon the docket immediately after the true bill was found. It was reported that he was killed; it was believed that he had been killed, and the case was not pressed. I do not know whether the solicitor took any steps or not against his bondsmen; but I suppose he will do it at the next term of the court.

Question. Which bill did the grand jury first find—the one against Young, or the one against Faulkner?

Answer. I am not able to say; but I think they were both found about the same time.

Question. Then in regular order the bill against Faulkner ought to have been reached and disposed of in some manner?

Answer. Yes, sir.

Question. Was it so reached?

Answer. It was reached and called.

Question. What account was given of Faulkner?

Answer. The statement was made by his counsel that he was believed to be dead.

Question. And for that reason nothing further was done?

Answer. Nothing further was done.

Question. Was there any investigation by the grand jury to ascertain who were connected with Faulkner, or did it end with the bill against him alone?

Answer. The grand jury fully interrogated the witnesses on the subject, but they could not get any information to lead to the arrest of the other parties. Young was not able to identify any of them. His brother, to whose house he fled, after he escaped from his own house—indeed his brother was a member of the grand jury, and signed the presentment which led to his indictment—

Question. The brother of Young?

Answer. Yes, sir; he was a member of the grand jury; Young fled to his house when he escaped, and sent his brother down town to see as to the condition of his wife who had also been shot. He came down and walked through the town, and saw some of the men there, but was not able to identify any of them. I think he said he saw the wounded man, Faulkner, lying in the street, but he did not know who he was.

Question. By whom was Faulkner shot that night; by Young?

Answer. Yes, sir.

Question. Was there any indictment against Young for shooting Faulkner?

Answer. No, sir.

Question. It was understood that he had done it in self-defense?

Answer. That was the impression.

Question. Was Young seriously shot?

Answer. No, sir; very slightly.

Question. Was his wife seriously shot?

Answer. Slightly wounded.

Question. Then the reason given for this attack upon Young was that he had been guilty of misdemeanors in office?

Answer. Well, sir, that was the impression in the public mind.

Question. That was the only reason given in public there for it?

Answer. Yes, sir.

Question. How did that reason get out; did the men who committed the offense give that as their reason, or where did the impression have its origin that that was the reason why the attack was made upon Young?

Answer. I cannot say about the men who were engaged in it, because I do not know who they were. But it was well known that Young was obnoxious on that account; I did not know of his having committed any other offense.

Question. Would his misdemeanors in office in Newberry County affect the citizens of Edgefield County?

Answer. No, sir.

Question. Then how do you account for Faulkner's presence there?

Answer. That I cannot tell. They may have all been from other counties for all I know.

Question. Is there any impression that an organization exists in several of those counties, the members of which in one county obey calls from those of another county to inflict wrongs of this character?

Answer. That is not my impression.

Question. Is it the general impression?

Answer. No, sir; I think not.

Question. How do you account for Faulkner's presence there?

Answer. I cannot tell.

Question. Have you any idea that there is any general organization among the men who commit offenses of this character?

Answer. I do not think that there is any general organization. I think that in some cases lawless men have banded together, from time to time, to commit these outrages. But I have never believed there was any general organization extending throughout the different districts, and acting together in concert.

Question. Is it your belief that those men who visited Young were citizens of your county, who took that mode of redressing the wrongs they believed they had suffered from him as a public officer?

Answer. I cannot account for it in any other way.

Question. Do you account for it in that way?

Answer. It must have been on that account.

Question. Have there been any other offenses committed by similar means, in that county, that you are aware of?

Answer. That is the only one that I know of. Last September there was a very serious riot within twelve miles of the court-house, which luckily was suppressed without any bloodshed. In September last a man named Chappell, in my county, had a difficulty with a negro, and Chappell used his knife in the rencounter, and cut the negro slightly; he was captain of a militia company.

By Mr. VAN TRUMP:

Question. Who was?

Answer. The negro was the captain of a militia company.

Question. An armed company?

Answer. Yes, sir, an armed company, armed by the governor of the State. He immediately assembled his company, composed of about eighty men, I believe, and went to the house of a Mr. Anderson, where Chappell was; Anderson was the father-in-law of Chappell, and was very ill at the time. They went there and demanded Chappell, saying they were going to have revenge for his assault upon their captain, and threatened to burn the house if he did not present himself. Well, the alarm immediately spread throughout the district that these people had assembled there for that purpose. Information came to the sheriff, who is a very prompt and active officer, and he immediately went up there, went into the house, and arrested Chappell for this assault and battery, and carried him off to the court-house. He commanded the negroes to disperse and go to their homes, telling them that they were there for a bad purpose, and that they must go to their homes. They replied that he did not have the power to disperse them, and that they would go when they got ready. The sheriff came down to the court-house, and Chappell was put under bonds for his appearance at court. By the time the sheriff returned to the scene a great many white persons had collected there, at some distance from where the negroes were assembled. The sheriff adopted the assemblage of white persons as his posse, and insisted that they should act under his orders, and said that he was going to arrest those colored men if they did not immediately go to their homes. He went forward in company with some others, some colored men and some white men, and had a conference with the leaders of this company, and they finally agreed to surrender and disperse. Two or three or four of them were arrested and put under bonds, and then discharged.

By the CHAIRMAN:

Question. Were any other officers in Newberry County visited by armed men in disguise?

Answer. No, sir. A detachment of this company visited the jail that night.

By Mr. BECK:

Question. What night?

Answer. The night Young was attacked. They visited the jail and seized two of the sheriff's deputies who slept in the basement as you enter the jail; they seized the deputies and carried them out of the jail. Some of them entered a room next to where the sheriff slept; the sheriff was aroused, and jumped out of bed and ran to the room, but they escaped out of the window. They left the jail without doing any mischief. The deputies say that just at that time a messenger came and they withdrew from the jail. The supposition is that the shooting of Faulkner had occurred about that time, and that it disconcerted them, and they determined to withdraw from the jail and to leave the town.

By the CHAIRMAN:

Question. Was Faulkner carried to his own house immediately after his injury, or to what place was he carried?

Answer. He was carried to the house of a man named Waldrop, about four miles from the town. He stopped at the house of Waldrop of his own accord, I think. The old man who carried him did not know where he was going with him; he said that when he arrived at that point Faulkner determined to go no further, suffering greatly from his wound, I suppose.

Question. Was not a man named Hailstock another of the commissioners of Newberry County?

Answer. Yes, sir; he was indicted and is in jail now.

Question. Was he not called upon a little before this time by armed men in disguise?

Answer. I think now that I heard of his saying that his house had been visited by some men, but he was not at home at the time; that was some little while before this thing occurred.

Question. Is there any political significance attached to these acts in your county?

Answer. I do not know to what extent. I know there are men of the same political views with those men who have not been disturbed there. There are a number of republicans in our community who felt no alarm on that occasion.

Question. Are they all republicans who have been disturbed in that manner?

Answer. Young and Hailstock were elected by the republicans.

Question. Were they both colored men?

Answer. Yes, sir.

Question. Is there any allegation that the men who commit these offenses are all of one political party?

Answer. It is not known who they are.

Question. They are white men?

Answer. Supposed to be.

Question. You knew Faulkner?

Answer. Yes, sir, I knew him.

Question. What were his political relations?

Answer. Well, I do not know; but I suppose that Faulkner acted with the white people generally in the State in the elections.

Question. Generally with the democratic party?

Answer. Yes, sir.

Question. What was the politics of the man to whose house Faulkner was taken?

Answer. Mr. Waldrop? I do not know; but I think he is of the same politics; indeed, I know he is a democrat.

Question. Who went bail for Faulkner?

Answer. I think his bail was given by two men, named Burton and Treble.

Question. Were they citizens of Newberry?

Answer. Yes, sir. I think they were somewhat connected by blood with Faulkner's wife; he married in Newberry district, and I think they were somewhat connected with his wife.

Question. They were also members of the same party with Faulkner?

Answer. Yes, sir.

Question. Did any of these cases, either justly or unjustly, take a political turn or complexion; give rise to any political feeling?

Answer. Well, sir, I know that any man, whatever his politics may be, would not be disturbed in Newberry for uttering his political sentiments. I think that there is perfect freedom of speech there, and that no man would be disturbed on that account. No honest man would be disturbed for entertaining political views, whatever they might be.

Question. Has there been any instance in the history of the State, where the wrong acts of public men have been redressed in this way against anybody but republicans—in the whole history of the State?

Answer. I am not aware that there has been.

Question. And have they not been very numerous, according to your information, in the last year or two, as against colored men and republicans, especially in the northern portion of your State?

Answer. I have heard of a number of instances, but they were always against men who had made themselves obnoxious by some sort of misconduct; and in the very same communities men entertaining the same political views, who have not been charged with dishonesty, have not been disturbed. It therefore may be said to have been directed against the dishonest men of that party, and not the honest men.

Question. Have you any white men, democrats, in South Carolina who are charged in their neighborhood with dishonesty?

Answer. O, yes.

Question. Have any of them ever been visited by men in disguise, for the purpose of punishing their dishonesty or their wrongs?

Answer. No, sir, the dishonesty I allude to is official dishonesty, not individual dishonesty.

Question. This lawlessness, then, is directed entirely to the public service?

Answer. Yes, sir; it has been principally against men in office, I think.

Question. But not altogether; have there not been numerous instances, within your knowledge, cases well enough authenticated to lead you to believe them, in which this lawlessness has been directed against private individuals?

Answer. There have been in other counties, I think; not in mine.

Question. They cannot be accounted for as being for the public service? Do you say there is no impression in your part of the State that there is an organized body of these men known as Ku-Klux?

Answer. I cannot believe that there is any general organization in my county. I think I would have known it, by some means or other, if there had been any solid organization of the sort in the county. I think the disturbances we have had have only been for the occasion.

Question. How long was the occasion to last, according to your impression?

Answer. For that occasion only. My individual impression is, that we will have no more disturbances of the sort. At the last term of our court Judge Moses sentenced to the penitentiary (the term commenced and ended in May) fourteen colored men for riot and other offenses; and he sent sixteen to the jail for official misconduct and other offenses.

Question. All colored?

Answer. All colored; yes, sir.

Question. Were there any white criminals at all indicted at that court?

Answer. Yes, sir; there was one man tried for murder, for killing a white man, but he was acquitted. There was another trial of three white men for riot, which resulted in the acquittal of two of them, and the conviction of one for an assault, for which he was fined.

Question. Is there any difficulty in your courts, since the change of judges of which you have spoken, in administering justice so as to secure the rights of parties in civil cases, or in criminal cases?

Answer. Well, sir, Judge Moses did not reach our civil docket.

Question. Then, so far as the criminal law is concerned, you have a very large number of cases to be disposed of?

Answer. Yes, sir.

Question. Have you any other information that would be of any use to the committee in their investigation of the question, so far as it affects the State of South Carolina, in regard to obedience to the laws there? If you have, state it fully to the committee.

Answer. Well, sir, I do not know, though I have the hope that we shall have no trouble there for the future. The governor has recently removed a number of incompetent trial justices throughout the State, and substituted better men in their places; and I think, from what I can learn, that he will not be so profuse in the exercise of the pardoning power for the future, and that people hereafter will hesitate a little more in the commission of crime.

Question. That is all you desire to state in answer to that general inquiry?

Answer. Yes, sir.

By Mr. BECK:

Question. Are the officials in your county democrats or republicans?

Answer. Well, our sheriff and clerk are democrats; they were elected in 1868, and hold office for four years; but the probate judge, the county commissioners, and the school commissioner, who were elected at the last general election, are republicans.

Question. What are your trial justices?

Answer. They have all been republicans heretofore.

By Mr. BLAIR:

Question. They are appointed?

Answer. They are appointed by the governor; he appointed three trial justices for the town of Newberry some time last year, all of whom were colored men. I think two of them never acted much, though. He has lately made an appointment of a very good man as trial justice, in the community, who is a democrat.

By Mr. BECK:

Question. Was the management of the affairs of the community, by this man, Young, as commissioner, especially in regard to the poor-house, of a character that created a great deal of feeling among the people? State how that poor-house was conducted, and how the inmates were treated.

Answer. I heard the sheriff say, after the county commissioners were sent to the jail, (the solicitor took an order that the sheriff be required to take charge of the poor-house there.) I heard the sheriff say that when he went there he found the inmates in a very wretched condition; they were poorly provided for in clothing, and were without plates, knives, or forks; were totally destitute of all those comforts which it was the duty of the county commissioners and the keeper of the poor-house to provide; indeed he said they were full of vermin. He immediately went to the county treasurer and bought clothing for them, and put them in a comfortable condition, for they had been sadly neglected.

Question. They were required to eat their food from their hands?

Answer. He said there was not a plate or knife or fork on the premises, except some that belonged to the inmates. Some few of them had such things of their own; but there were none there that belonged properly to the poor-house.

By Mr. VAN TRUMP:

Question. Were there both white and black paupers there?

Answer. Yes, sir, both black and white; there are a larger number of blacks than whites; they were in a very squalid condition.

By Mr BECK:

Question. That resulted from the mismanagement of this man, Young?

Answer. Yes, sir; he did not go to the poor-house at all, I suppose; did not give it his personal superintendence; but left it entirely to the colored man to whom he had sabbled the poor-house.

Question. It was the opinion of your people that that and his other misconduct were at the bottom of the attack made upon him?

Answer. It could not be accounted for in any other way.

Question. You have alluded several times to the arming of the militia; I want you to tell us what was the general arrangement about the arming of the militia; how were they organized and armed; were they generally white or black; and how did they behave when they were acting in their organized capacity? State fully all about that, without any further questioning, so far as your information and knowledge will enable you to do so.

Answer. Well, sir, without any public call being made, the first intimation we had in our community that there was to be any organization of the militia, a colored officer came to Newberry and was met there by the colored people from all parts of the county; that was the first intimation we had of it. They immediately organized companies and appointed or elected officers; I think they had as many as six companies in our county; I know that in town there were three mustered in, all commanded by colored officers.

By Mr. VAN TRUMP:

Question. Were all the men colored?

Answer. Yes, sir. Soon after they were organized they drilled for some time without arms.

By Mr. STEVENSON:

Question. When was that?

Answer. Last summer; about the month of June, I think.

By Mr. BECK:

Question. Was that after the canvass had begun between Governor Scott and his opponent?

Answer. It was just about the time, or a little before, the conventions met; just at the beginning of the canvass. They were drilled at first without arms, at night and in the day-time. Soon after that arms were furnished to them, and arms of the most improved pattern, and ammunition in abundance; and they never had any political gatherings or any celebrations, except these companies appeared with their arms. They were drilling and mustering through our streets there, day and night, all the summer and fall.

By Mr. VAN TRUMP:

Question. State the relative proportion of the blacks and whites in the population of Newberry County.

Answer. I think the proportion is about five-eighths black to three-eighths white. Their majority in the election has been 1,300 or 1,400 over the whites.

By Mr. BECK:

Question. Were any white companies in the county of Newberry allowed to organize and to be furnished with arms?

Answer. No, sir; one white company organized in town and tendered themselves to the governor, under the act of the legislature authorizing the organization of the militia; but he declined to receive the company or to furnish them with arms.

By Mr. VAN TRUMP:

Question. About that same time, or at some other time?

Answer. Just at the same time. After the colored companies were organized, a white company was organized, and their services tendered to the governor, but he declined to accept them.

By Mr. BECK:

Question. So that the only armed organizations you have had in the county of Newberry have been colored?

Answer. Yes, sir.

Question. You think you had six companies of them?

Answer. I think there were six in the county; there were three at the court-house.

Question. What was their assumed object in attending political gatherings in an organized military form, with arms in their hands?

Answer. I suppose it was to please and to dazzle their own people, and at the same time to resist any disturbance that might occur, if any should come in their way; I

cannot imagine what else they went armed for. They had their cartridges and their bayonets, and I suppose it was for that; I do not know what it was for.

By Mr. BLAIR:

Question. Did they attempt in any way to intimidate the whites?

Answer. They marched through our streets frequently, and shoved everybody off the sidewalks who came in contact with them. Indeed, nobody cared to go into the streets when they were parading; it was unsafe for ladies to walk the streets when they were out. Their celebrations generally occurred in a grove not far from the town; and they generally closed their celebrations by marching into the court-house square and occupying the court-house porch or steps, from which harangues were delivered to them. The companies would be formed in front of the court-house, and they would occupy the whole square; the square is rather small.

Question. What was the character of the harangues delivered to them?

Answer. I was compelled to hear them, because my office was within hearing and I could not do otherwise than hear them. I have heard some of a very incendiary character, the tenor of which was to persuade those colored people that the white men were their enemies; to look upon them as their former masters and as tyrants, and not to trust them in anything. They would dwell with peculiar unction upon the miseries of their former servitude; they would talk to them about the lashes that had been put on their backs by their masters, and the manacles on their hands that had been taken off by their friends, the republicans. They would tell them that they must not trust their former masters, for they were only seeking to get into a position where they could reenslave them. All sorts of appeals were made to their passions, and everything was said to inflame them against the white people.

Question. Were those speeches made by white men?

Answer. By white and by colored men; I think the most moderate speeches were made by colored men.

Question. Did you ever hear a man by the name of Worthington make an address to them?

Answer. I heard Worthington speak from the court-house steps. He was of that class of orators; I do not think he was so incendiary as some of the others, but he dealt more in inuendo than in direct appeals to their passions.

By Mr. BECK:

Question. Were appeals made to them at any time to apply the torch?

Answer. Yes, sir; I have heard that Joe Crews, a member of the legislature, a white man, from Laurens County, marched through that county with those armed companies last summer, during the campaign, and that he said in his public speeches that matches were worth only five cents a box, and that that was the remedy for their grievances.

By the CHAIRMAN:

Question. Did you hear him say that?

Answer. No, sir; I have heard that he did so say; I heard a gentleman say that he heard him say so in a public speech.

By Mr. BECK:

Question. During that time were there a number of incendiary fires through the country?

Answer. I am not aware that there were many in our section of the country; I have heard of them in other counties; but there were not many in my county. There was one Colonel Lipscomb, whose house and premises were burnt down a few days after the Chappell riot, in September.

By Mr. BLAIR:

Question. Did he take any part in that?

Answer. He was at the head of the company of white men who assembled and were taken by the sheriff as a posse; at the request of the sheriff he took command of the whites assembled there. His house and premises were burnt down a few nights afterward.

Question. Was that supposed to have any connection with what he had done at the request of the sheriff?

Answer. That is his impression, I think.

By Mr. BECK:

Question. From what counties have you heard information, upon which you can rely, of the burning of gin-houses and other buildings in the night?

Answer. I think I have heard of more conflagrations in York District than in any of the others; but there have been several in other districts.

Question. In which district does Crews live?

Answer. In Laurens.

By Mr. VAN TRUMP:

Question. Do you call a county a district?

Answer. Yes, sir. They were formerly called districts, and we have not yet got out of the habit of calling them so.

By Mr. BECK:

Question. Do you remember hearing that upon one occasion as many as six fires were seen from the town of York, all burning at one time?

Answer. I do not remember particularly of hearing of that.

Question. Was there any attempt made by democrats or others, to molest those persons who were delivering those incendiary harangues to the negroes in your county?

Answer. No, sir; I have never heard of any man being disturbed while making a public speech, there, except a democrat. I saw Mr. Young, a democrat, interrupted in a speech; I have heard—I was not there at the time—that when General Butler, who was the candidate for lieutenant governor on the Union reform ticket, came to Newberry he was jeered at and disturbed very much in the course of his speech by the colored people, and that he got along with great difficulty in making his speech.

Question. State how the negroes treated any of their own race who attempted to vote the democratic ticket. Were they at liberty to do so if they wanted to?

Answer. They came near having a very serious —.

Question. What was the general impression on that subject; were they allowed to vote the democratic ticket?

Answer. A negro who announced himself a democrat or a reform man was in great danger of his life.

By Mr. VAN TRUMP:

Question. You were about to state a particular instance.

Answer. I was going to say that we came near having a very serious riot in our town on the day of election, which grew out of an assault made upon a colored man of the name of Howard Brown, who voted the reform ticket. He was set upon by the colored men, his clothes torn off him for voting that ticket, and some gentlemen who witnessed it—one, perhaps—drew his pistol, and made them turn Brown loose, and said that Brown was a free man, and had a right to vote as he saw proper. The negroes immediately began shouting "Go for your arms; go for your arms," and ran through the streets like raving maniacs. They came very near running over me as I was crossing the street. They ran in the direction of their armory, where they kept their guns. It looked like we were going to have a serious collision. There were three polling places in town, and a great number had flocked in there to vote. The negroes ran to their armory, and it was supposed they would get their guns, and come back to the square for a fight. The sheriff, who was a very active man, being charged with the duty of preserving peace at elections, immediately sent a messenger to an officer commanding a company of United States troops stationed near the town, and requested him to come down and help him to preserve the peace. The officer double-quickened his company down to the public square. As the head of his column entered the square, the negroes set up a shout, thinking, I suppose, that he had come down to assist them.

By the CHAIRMAN:

Question. Did they say so?

Answer. No, sir; they did not.

Question. That was your inference.

Answer. That is my inference.

By Mr. VAN TRUMP:

Question. It was a triumphant shout.

Answer. Yes, sir; it was a shout of triumph. As he came in sight, they set up a shout. He formed his company on the public square, requesting the white people to go on one side of him, and he kept between the whites and blacks. The thing died out without any further disturbance, but it looked very threatening at one time.

By Mr. BECK:

Question. Was there any other cause for that demonstration or disturbance except the attack made by colored men upon a negro who had voted the democratic ticket?

Answer. That was all. The moment this gentleman drew his pistol to protect Brown, and insisted that they should turn him loose, they ran off, shouting, "Go for your arms;" you could hear that all over the streets, and they ran in that direction.

By Mr. STEVENSON:

Question. Was there much excitement?

Answer. Yes, sir; there was naturally considerable excitement at that moment. But the white people kept very calm; the sheriff was going about in the crowd, exhorting the people to be calm.

Question. Going about among the white people?

Answer. Yes, sir.

Question. How were they armed?

Answer. They were armed with pistols, a great many of them; a great many of them had pistols.

Question. There was danger of a general collision?

Answer. Yes, sir; there was danger of a very bloody collision.

By Mr. BECK:

Question. Is it your opinion that that is the general treatment by their colored brethren of negroes in your county, who seek to vote the democratic ticket?

Answer. Yes, sir; there is a tailor in our town, named Gourline, who is a democrat. He was attacked a number of times last September; they would go to his house and threaten to take him out; on one occasion a great number collected in front of his house; it was at the time of some public occasion, perhaps when General Butler delivered his speech there; I was not there at the time, but I heard of it. They pursued Gourline to his house, and threatened to hang him, and the sheriff and a number of others, determined men, jumped in his house, and stood there and protected him. They hallooed for a rope, saying they would hang the sheriff if he did not get out of their way; and if he had not been a very resolute man, probably that tailor would have been hung then, or have been killed.

By Mr. STEVENSON:

Question. Who is he?

Answer. He is a colored man who came into our county from Charleston.

Question. A freedman?

Answer. Yes, sir.

Question. Is he a fashionable tailor?

Answer. No, sir; his business consists principally of repairing.

Question. For white people or colored people?

Answer. For all sorts who will give him work.

Question. I wanted to know whether he has white customers?

Answer. Yes, sir.

By Mr. BECK:

Question. How many negroes have been killed by white men in the county of Newberry, within the last two years, so far as you can recollect?

Answer. There has not been a negro killed in Newberry County by a white man, to my knowledge, since October or November, 1868.

Question. Have many white men been killed by negroes in that county during the last two years?

Answer. Two white men were killed there by negroes last year.

Question. Under what circumstances?

Answer. A man by the name of Dunwoody, who was night-watch at the Greenville and Columbia Railroad depot situated in our town, was killed, and the depot was robbed, the safe broken open, and what money was in it taken out. Four negroes were arrested a few days afterward for that offense, a man and his wife, and two colored men. The man and wife confessed that they were there, engaged in the robbery, but they said that Dunwoody was killed by the other two men. They were tried at the spring term of our court in 1870, before a mixed jury, though composed principally of colored men. It resulted in a mistrial; and they were again tried in September of last year, before a jury composed entirely of colored men; and the man and his wife who confessed were found guilty, and the verdict as to the other two was "not guilty." The man was hung; the woman was not sentenced then in consequence of being *eniente* at the time. She has been delivered of her child since, and was sentenced by the court at the last term. The man was hung in November; and he adhered to the gallows to the statement which he had made in court, that those two men who had been acquitted were guilty of the murder, while he and his wife were present only aiding and assisting in the robbery. Those two men were detained in jail on the charge of robbery.

Question. Having been acquitted of murder?

Answer. Yes, sir. They were detained in jail by the solicitor on the charge of robbery; but he did not send out an indictment against them at that term of the court. At that term they demanded their trial, and at the last term of the court they again demanded their trial. And under our law, the State failing to prosecute, they were entitled to be discharged upon their own recognizance; and they were accordingly discharged at the last term of our court.

Question. Was it supposed at the time the attack was made upon Young that the demonstration upon the jail had anything to do with them?

Answer. I was going to say that it was believed that the men came to the jail to take those two colored men from the jail to punish them, as the court and jury had failed

to do it, for the killing of Dunwoody; that was believed to have been a part of their mission.

Question. You have not explained how they were withdrawn from the jail.

Answer. They were admitted to bail upon my motion at the last term of the court, I having been assigned by the court as counsel for them. They are now at large, and have not been disturbed since. But it was believed that these men intended to take them from the jail and punish them.

Question. State briefly your law upon the right of a prisoner to be discharged, and the terms upon which he has a right to be discharged, if the Commonwealth fails to be ready for two consecutive terms after indictment found.

Answer. Well, if he demands his trial at two consecutive terms, and the State fails to prosecute, he is entitled under our law to his discharge.

Question. Suppose the State is not ready because of the absence of witnesses?

Answer. The State cannot detain him after he has demanded his trial at two successive terms.

By the CHAIRMAN :

Question. That is, when he is in prison?

Answer. Yes, sir.

Question. Is that the case when he is out on bail?

Answer. No, sir.

By Mr. BECK :

Question. He can go out on his own recognizance?

Answer. Yes, sir; as they did in this case.

Question. Have you since the war had any white man convicted in Newberry for killing a negro?

Answer. Yes, sir; a white man named Whitman was convicted by a jury of white men for killing a negro, and principally upon negro testimony, and sentenced to be hung; but he escaped jail, and has not been rearrested.

Question. In this connection I want you to state to us what is the operation of your election laws, and to explain to the committee what power the governor and others in authority have over the election officers, the ballot-boxes, and what are the facilities, if any, for fraud in conducting the elections in your State, or in counting the ballots; are men all of one side appointed for election officers; or what fairness is there in such appointments, if there is any?

Answer. The governor appoints for each county three commissioners of election, who are charged with the duty of appointing managers of elections for the various precincts, and also of designating the different polling places in the county. The commissioners furnish the managers with sealed boxes for receiving the votes—boxes with locks. All the commissioners in our county were of the governor's party, of his complexion in politics.

Question. Was that generally the case in the State, so far as you know?

Answer. Yes, sir; and the managers were all of that party. It operated very unfairly with us in this particular: The commissioners refused to make any publication of the polling precincts they had designated in our county until they were called upon, a few days before the election, by some gentlemen, who insisted that we should know where they were going to establish boxes. No publication had then been made in the newspapers. They then indicated the number of boxes they were going to establish in the district, and where. There had formerly been seventeen boxes in our county; they designated only eight; although the vote had been more than doubled, they designated only eight polling places in the county, three of which were in the county town.

By Mr. VAN TRUMP :

Question. What is the population of that town?

Answer. About 1,800.

By Mr. STEVENSON :

Question. What is the vote of the county?

Answer. The vote of the county is about 4,000 or 4,200.

By Mr. VAN TRUMP :

Question. Therefore one box could have answered for the town?

Answer. Yes, sir, one box had always accommodated the town before. But the colored people were invited to come from all parts of the county to the court-house and vote. They came from the remotest parts of the county to vote, and monopolized all the boxes in town until 10 o'clock in the day. They congregated around the boxes at 4 o'clock in the morning, before they were opened, and monopolized all the precincts until about 10 or 11 o'clock in the day.

By Mr. BECK :

Question. Did they come armed?

Answer. No, sir, they were not armed at the election?

Question. Was there at the election last October any check upon the party friends of the governor who were managing the election, to prevent their counting just as they pleased?

Answer. Under the law the managers, I think, have three days in which to make their returns of the ballot-boxes to the commissioners of the county, and the commissioners probably have six or seven days in which to count the votes and make a return of them to the board of State commissioners at Columbia. After the election was over and the boxes were brought to the county town, there was then a check put upon any attempt at fraud. A number of persons of the opposite party insisted upon remaining with the boxes until the votes were counted; and they did sit up and guard the boxes all the time until the votes were counted.

Question. That was peculiar to your county, and not by any legal right?

Answer. No, sir, it was not by any legal right; those who had charge of the boxes consented, I think; they felt sure of their success, and there was no temptation to commit fraud.

Question. They had had the boxes for three days before?

Answer. Yes, sir; it was well known that their men were elected.

Question. Were not all the managers and all the commissioners upon one side; and was there practically any check at all?

Answer. No, sir.

By the CHAIRMAN:

Question. That is upon the assumption that the oath they took was no check?

Answer. Yes, sir. I understood that the executive committee of the republican party were called upon during the progress of the canvass by the committee of the other party, and asked that one manager at least should be appointed of the Union reform party, but they refused it.

Question. That was at Columbia?

Answer. Yes, sir.

By Mr. BECK:

Question. They refused it generally over the State?

Answer. Yes, sir.

By Mr. BLAIR:

Question. Did you ever hear of one single election officer within the State, either a commissioner or a manager of elections, being appointed, who was a democrat?

Answer. I never did.

Question. Do you think that throughout the whole State there was an election officer who was a democrat?

Answer. I do not think there was one; at least I never heard of one.

Question. What impression did such an election law as that, affording such facilities for the commission of fraud, and the universal appointment of partisans as election officers, all belonging to one political party—what impression did that make upon the people of the State in regard to the election; that the intention was to defraud?

Answer. Well, the impression was that this act of the legislature was framed with a view to that very thing, by leaving the ballot-boxes after the votes had been deposited in them for so long a time in the hands of the managers of elections; the impression was that it was framed deliberately with a view to fraud, for they would have time to ascertain, from an estimate made of the vote in different parts of the State, how the election had resulted; it would give them the power to count out the ballots as they might deem necessary; that was the impression.

Question. Was there anything connected with the last election to justify the belief that frauds were actually perpetrated?

Answer. O, yes, sir. I know that in my county particularly, a great many persons were permitted to vote who were not entitled to vote; and their names were collected with a view to having them indicted for it, but it never was done. A great many who were under age were permitted to vote in my county. Frauds of that sort were charged all over the State. There was one case in which some of the commissioners of Beaufort County were tried and convicted, in the United States court, for stuffing the ballot-boxes. Two of the commissioners of Beaufort County were tried in Charleston, before Judge Bond, United States circuit judge, and they were convicted.

By Mr. VAN TRUMP:

Question. Republican or democratic commissioners?

Answer. They were republican.

By Mr. BECK:

Question. Will you state to us what has been the increase of taxation imposed upon your people within the last three or four years, and whether there is fairness or unfairness in the mode of assessing the value of your real estate?

Answer. Our taxes have been considerably increased. I was a member of the legislature in 1858 and 1859, and from that time until the legislature was dissolved by the war. I think the appropriations before the war were generally about \$350,000 a year; the tax raised was about that amount; but now it is in the neighborhood of \$2,000,000.

Question. What was it in 1866 and 1867, before reconstruction began?

Answer. I do not remember what the appropriation was in 1866; but that was not carried out, I think. The military intervened after the session of 1866, and I do not know whether the tax was collected or not.

Question. What is the impression of your people as regards the honesty or dishonesty, corruption or extravagance of your officials in power, and of your legislature generally? State in a general way the facts that induce the people to doubt the integrity of the present administration of the State government of South Carolina.

Answer. Well, sir, it is the general impression that the whole State government—that is, the legislative and executive departments—are corrupt and dishonest; that for the last two or three years bribery has stalked most unblushingly in the legislature, and the treasurer of the State and other officers connected with the executive department have been charged with dishonest practices in various ways. It is the general belief in the State that the whole concern is corrupt.

Question. Are there any facts, within your knowledge or in regard to which you have information, upon which you can rely, bearing upon this subject? If you have, state them in your own way.

Answer. I do not know of my own knowledge any of these things, because I have been very little about Columbia, never remaining there longer than my business compels me to.

Question. State your general information in regard to the management of the school fund, the land fund, railroad corporations, &c.

Answer. The land commission there has been the source of great complaint; it was created by an act of the legislature with a view to buy lands for the landless and homes for the homeless, and \$500,000 was first appropriated by the legislature for that purpose. A man by the name of C. P. Leslie was appointed land commissioner for the State, and charged with the duty of purchasing lands and reselling them to indigent persons, in small lots of twenty-five, forty, and fifty acres. Afterwards \$200,000 or \$250,000 more was appropriated—\$200,000, I think. All of that money has been expended, and very few people have been benefited by it. The general belief is that a great deal of corruption has been practiced in that commission; for instance, it is charged that bodies of land have been bought by the commissioner at low figures and charged to the State at high figures in his accounts. There is one transaction in which it is said that a body of land, lying in Charleston district, entirely worthless, was bought for \$30,000 and charged up against the State for \$120,000. That has been charged publicly, and it has not been denied by the parties who are said to have been guilty of it.

By Mr. BLAIR :

Question. Was that not proved to be the case upon an investigation?

Answer. Yes, sir.

By Mr. BECK :

Question. How have they managed their railroad transactions; do you know anything about that?

Answer. The legislature has been charged with corruption in railroad jobs, too. The railroad on which I live, the Greenville and Columbia Railroad, was purchased more than a year ago by a ring, as it is called, in Columbia, headed by the governor of the State, and with Parker, the treasurer of the State, and others of that party in it. The stock of that road was purchased at a very low figure; the stock belonging to the stockholders along the line of the road was sold out at a very small figure, and it now belongs to the ring, and at the last session of the legislature a bill was introduced to give the State indorsement to \$2,000,000 of the bonds of that road.

Question. After those men had obtained it?

Answer. Yes, sir, after those men obtained it; the bill was introduced the past year, but it was defeated in the senate. It was believed that they managed to get it through the house by bribery.

Question. What was the general impression about bribes being paid to members of the legislature for all sorts of jobs; did you ever hear them say anything on that subject themselves?

Answer. A colored member from my county told me on the floor of the house, the second time I was ever in the house, that he constantly saw bribes offered there to parties to vote for measures; that they had been offered to him. He approached me, as I entered the bar of the house, and asked my opinion about some bill that was pending—what I thought of it. The bill I think was called the Sterling Loan Bill. He said

they were agitating it then, and he was doubtful which way to vote; that he had voted against it the night before, for the reason that he saw men offering bribes to members of the legislature to vote for it, and he therefore thought there was something wrong about it; that bribes were constantly being offered in the house for various measures. I have heard that stated generally; but he is the only member of the legislature who ever told me so.

Question. The members of the legislature were generally believed to be corrupt, were they not?

Answer. Yes, sir.

Question. What do you know about the tax-payers' convention, and the statement said to be made in their report about the debt of the State being \$9,000,000; what debt does that statement refer to; why does not the debt amount to more than that?

Answer. I did not read the report of the committee; but I understood that they had submitted a report, which was adopted by the convention, fixing the debt at about \$9,000,000, I think, which corresponded with the report that had been made by the State government. But, as I understood, the report was confined to one branch of the debt, the funded debt.

By the CHAIRMAN:

Question. You say you did not read the report?

Answer. No, sir, I did not myself read the report. I am only speaking about what I have seen in the newspapers and have heard others say; that the report was based upon information furnished by the authorities, and did not include what is known as the fire-loan, of \$1,000,000, which may or may not be chargeable upon the assets of the Bank of the State of South Carolina. That was not included; it did not include bonds that had been issued and not sold.

Question. Do you know that such is the fact?

Answer. No, sir, I do not know it personally.

By Mr. BECK:

Question. It is your understanding that it embraced only the funded debt of the State, leaving out all those other things?

Answer. Yes, sir.

Question. Independent of the funded debt of the State, what other liabilities is the State supposed to be under?

Answer. It is impossible to tell what may be the floating debt of the State, and what bonds may have been issued and hypothecated without being sold. This fire-loan debt of a million, owing to the Baring Brothers, has always been held very sacred by our people; that is not included in the report, nor does it include liabilities arising from indorsements of the State on railroad bonds, the amount of which is of itself very large.

Question. What is that believed to amount to; about what?

Answer. It would be very much conjecture with me. The State has given aid, from time to time, to all the railroads by indorsing their bonds; and that liability must amount to \$7,000,000 or \$8,000,000.

By Mr. VAN TRUMP:

Question. Is there any record of those indorsements?

Answer. O, yes, sir.

By Mr. BECK:

Question. Is the report supposed to embrace the \$2,700,000 put into the hands of this man Kimpton, in New York?

Answer. No, sir.

Question. In other words, it embraces nothing but the funded debt, as you understand?

Answer. That is all.

By Mr. BLAIR:

Question. Did you ever know, by information or otherwise, how this ring paid for the railroad stock that they acquired from the State and from individuals?

Answer. I have heard, but I do not know how true it is, that they bought the stock of the State and the stock of individual stockholders, and paid for it out of funds received in New York by the hypothecation of State bonds.

By Mr. BECK:

Question. Is that the same road for which the \$2,000,000 bill was passed by the house?

Answer. The same road.

Question. You spoke about the governor exercising his pardoning power very freely.

What has been the number of convictions and of pardons during the last year, the year in which occurred the contest for governor in your State?

Answer. In his message to the legislature at its last session, the governor stated that during the year ending October 15, 1870, I think, there had been two hundred and eighty-one convicts sent to the penitentiary, and that he had pardoned during that time two hundred and five persons. The pardoning power has been exercised very freely, I know, for the last three years.

By Mr. BLAIR:

Question. Was it supposed to have been exercised for political purposes?

Answer. Well, sir, I cannot say anything about that.

By Mr. VAN TRUMP:

Question. Have you any idea what proportion of those convicts were negroes?

Answer. A very large proportion; the negroes predominated very largely, but I do not know the exact proportion. I know, as an instance, that in my county they constitute seven-eighths of the defendants in our criminal courts.

By the CHAIRMAN:

Question. In making the statement in his message of having pardoned two hundred and five persons, as you have stated here, did not the governor accompany that by this statement also: "Such as are enumerated as pardoned mainly consisted of those whose terms were about to expire, and who were recommended for their good behavior by the superintendent. By anticipating the expiration of their sentence the criminal generally avoids the deprivation of his civil rights, many of which would be forfeited by their consummation." Did not the governor make that statement also?

Answer. Yes, sir; I think so.

Question. And of the two hundred and ninety-five inmates of the penitentiary at the time the governor sent in his message during the year, were not many of them included in the two hundred and eighty convictions during the year, of which you have spoken?

Answer. I forget about that, but I do not doubt it. I am sure the statement of the number of pardons was accompanied by what you read just now.

By Mr. STEVENSON:

Question. These pardons were of old criminals, and not of those put in during that year?

Answer. There may have been some of each; but I dare say the most of them were those who had been in before.

By Mr. BECK:

Question. You have said something about Joe Crews marching his militia through Laurens County, and of some difficulties growing out of that. What were the Laurens troubles, from the best information you have?

Answer. As I said before, I was not in Laurens at all. I only speak from information I derive from others. I know there was great excitement there during the fall just preceding the election.

Question. Last fall?

Answer. Yes, sir.

By Mr. VAN TRUMP:

Question. You are speaking now of the riot that is alleged to have occurred the morning after the election?

Answer. Do you refer to that? The riot grew out of a difficulty that occurred on the street between two white men. I think one of them belonged to what was known as the constabulary force, one of the State constabularies, and the other was probably a man from Tennessee, at least he was a stranger there. They got into a quarrel in the streets, and a pistol was fired, accidentally, I think—a man dropped his pistol on the sidewalk and it was discharged. At that moment, the negroes who were assembled in the house belonging to this man, Joe Crews, where they kept their guns, fired out of the windows at some white men, and then a general riot commenced.

By Mr. BECK:

Question. Had there been any attacks on the negroes or any threats to induce that firing by them?

Answer. I cannot tell.

Question. Have you ever heard of any?

Answer. No, sir; I have never heard of any. I think the quarrel was entirely accidental, and then a shot was discharged from the window of this house of Crews, and the riot became general.

Question. Was there much bloodshed at that time?

Answer. It was said that several persons were killed; seven or eight perhaps.

Question. Was there any politics mixed up in that matter that you know of?

Answer. No, sir; I do not think there was.

By Mr. COBURN:

Question. Were any white men killed?

Answer. Yes, sir; one white man was killed.

By Mr. BECK:

Question. Was Crews himself there?

Answer. Crews was there until the firing commenced, and then he disappeared very suddenly and mysteriously.

By Mr. VAN TRUMP:

Question. It was thought for some time that he had been killed?

Answer. It was thought for some time that he had been killed. He did not make his appearance again for some eight or ten days, until a company of United States soldiers arrived at Laurens. He then reappeared. It was believed till then that he had been killed.

By Mr. BLAIR.

Question. I suppose he was only disposed to fight with matches?

Answer. Yes, sir.

By Mr. STEVENSON:

Question. Did you understand that riot to have been a fight between Tennesseans and South Carolinians?

Answer. O, no, sir; only a private quarrel.

Question. I mean the general fight.

Answer. No, sir; it was between the negroes and the white people of Laurens.

By Mr. BECK:

Question. There has been a great deal said here about the killing of a one-armed confederate soldier who was said to have been peddling whisky to some negro militia. What was his name?

Answer. His name was Stevens.

Question. What is your information as to the facts connected with that killing?

Answer. I have heard that Stevens was hauling a barrel of whisky for some neighbor of his, that he had been sent for. On his way home he met this company of negro militia who demanded some of his whisky. I think it is said he gave them some. Probably he had a bottle in his wagon and he gave them his bottle of whisky. They demanded more and he said that he could not give it to them, that it did not belong to him, but it was another man's property and he could not open the barrel. That led to an altercation which resulted in his death.

Question. Was there any reliable information that he was peddling out whisky, as an illicit whisky-peddler?

Answer. I never heard that.

Question. There is no such information as that in your section of country?

Answer. No, sir; I never heard that. I heard that the whisky was not his, but that he was hauling it for another man.

By Mr. BLAIR:

Question. I want to ask you a question in regard to the funding of the bank-notes of the old State Bank of South Carolina. It has been stated here that those notes were purchased from the holders of them by a number of persons connected with the State government of South Carolina, and that bonds were issued for funding them, 6 per cent. bonds at first, and that subsequently those bonds were made payable, principal and interest, in gold.

Answer. Yes, sir; that is true.

Question. That was done by a subsequent act of the legislature, after the issuing of the bonds?

Answer. Yes, sir.

Question. And when the bonds were in the hands of the principal State officers?

Answer. Yes, sir.

Question. And those connected with them?

Answer. The notes were bought up by a few parties at a very low figure, at about 10 cents on the dollar; I think they ranged at that for several years after the war. They were bought up at a very low figure; and then followed an act of the legislature calling them in to be canceled and destroyed, and issuing bonds to pay them at par. And then, at a subsequent session, followed an act to pay the interest of those bonds in coin.

Question. Were the parties who purchased those notes, and in whose hands they were

at the time the bill was passed funding them, and who held them at the time the subsequent act was passed, were they all persons connected with the State government?

Answer. Most all of them. I think all of them were in either the executive or the legislative department of the government.

Question. Are those transactions to which you have alluded—in the first place, the exclusive arming of the colored militia, and the refusal to arm the white men; the transactions in regard to railroads, and the corruptions attending those transactions; the funding of the bank-notes in the manner you have described—are all these things commented upon throughout the State, and have they given rise to dissatisfaction and discontent among the people?

Answer. Yes, sir; all those things were fully ventilated last summer in the canvass for governor, and a great deal of disaffection sprung up in consequence of the disclosures made on those subjects.

Question. Do you attribute the discontent of the people of South Carolina, and their dissatisfaction, almost entirely to this condition of things—to this maladministration of the State government?

Answer. I do. I know there is no purpose to oppose the laws or the Government of the United States. It is solely in consequence of these dishonest practices that this disaffection has grown up.

Question. The people of the State consider themselves powerless, by reason of the election laws of your State; and finding this corruption and robbery on every hand, they have, in some instances, unadvisedly taken the law into their own hands?

Answer. Yes, sir.

Question. You have also spoken of the corruption of the county officers of your own county. Do you know, or have you heard, of similar corruptions existing in the other districts or counties of the State?

Answer. Yes, sir; charges of the same sort have been made in other counties; indeed, in nearly all of them.

Question. Do you know anything in reference to the manner in which the school fund has been administered; how much was applied, and in what manner it has been applied?

Answer. The appropriation for school purposes by the legislature is very small. The poll-tax is also appropriated to the school fund; but they have not collected the poll-tax from a great many, and have not been able to do so, because they were without property. I do not think a great deal has been appropriated for teachers. The salaries of the school commissioners almost consume the appropriation made by the legislature. I have heard a great deal of clamor among the school-teachers in our county about not getting their pay.

Question. It is all consumed by the school commissioners?

Answer. Not all of it; but a great deal of it is.

Question. What is the duty of these commissioners?

Answer. Really I do not know what their duties are. I think they are charged with the duty of superintending the schools, the selection of the teachers, and the paying of the teachers. Disbursing the funds, I think, is their principal duty. Their salary as school commissioners is \$1,000 a year, and there being about thirty-two or thirty-three commissioners in the State, it takes nearly the whole appropriation made by the legislature to pay their salaries.

Question. In those counties in which the whites preponderate, are they not prevented from electing to the legislature, or to any office of profit or trust, the men whom they would naturally select, but for the disabilities imposed upon them by Congress?

Answer. Yes, sir, O, yes, sir; a great many men who I know would be selected to represent the people in the legislature are now disqualified under the fourteenth amendment.

Question. So that, even in those counties, where they have the numerical majority, they are compelled to narrow their selection very much?

Answer. Yes, sir, very much.

Question. Is it a source of discontent in the State, among all classes of people, that the intelligent portion of the community is disqualified from holding office, and thereby the State is unable to have the benefit of their services?

Answer. Yes, sir. That is a source of great complaint, that those who have had experience in legislation, and whom the people would be most likely to select, are the very men who are disqualified. I know that is the case in my section of the State.

Question. What I want to get at is this: That the discontent, on this account, is not confined to those persons who find themselves under disqualifications, but it is the complaint of the whole community who find themselves deprived of the services of their best and most experienced citizens?

Answer. Yes, sir; that is the general complaint.

By Mr. COBURN:

Question. In relation to the school tax, you said something about the enormous

amount of tax raised for schools. Did you formerly have free schools in South Carolina, before the war?

Answer. Yes, sir.

Question. To what extent?

Answer. The legislature made an appropriation of about \$75,000 every year for free schools, to pay for the education of indigent children.

Question. You did not educate the black children then at all?

Answer. No, sir.

Question. There has been a very large increase of the number of scholars in your State?

Answer. I do not complain, or say that there is onerous taxation on account of free schools. I think the appropriation for that purpose is very small.

By Mr. BLAIR :

Question. Much smaller than formerly?

Answer. Yes, sir ; the appropriation by the legislature.

By Mr. COBURN :

Question. What was that you were saying about large expenditures in connection with schools?

Answer. You misunderstood me. I said the appropriation made by the legislature was only \$50,000, and that the most of that amount was consumed in paying the salaries of the school commissioners. I said that the poll-tax, which is appropriated to free-school purposes, is not generally collected ; and therefore the fund was very limited for that purpose.

Question. How large is this poll-tax?

Answer. I think it is a dollar on each head. I forget what that would amount to ; but if it was all collected it would be a very considerable sum.

Question. Over \$100,000 ?

Answer. Yes, sir ; very largely over.

Question. How many voters have you in the State?

Answer. About 120,000, and if it is a dollar a head, that would make a considerable sum, if it was generally collected.

Question. Do you know whether or not it is collected ?

Answer. I do not think it is.

Question. Have you any official knowledge on that subject ?

Answer. No, sir, I have not ; I have heard a complaint that the poll-tax is not collected as well as it should be, but I do not know how much the deficiency is.

Question. You have spoken about the expenses of the State government being much larger now than formerly. What is the amount of the interest to be paid on the State debt now, and what was it formerly ?

Answer. Of course the interest is larger, for the debt is much larger.

Question. And a large portion of this increase is applied to the payment of the interest on the public debt ?

Answer. Yes, sir ; some of it.

Question. What was the cost of the State government in confederate times ?

Answer. I do not know, but it was greatly less than it is now.

Question. The taxes were not so heavy ?

Answer. No, sir.

Question. Something was said by you about the general treatment of democratic negroes. How many democratic negroes are there in your State ?

Answer. Very few.

Question. Then this general treatment of them would not amount to very much ?

Answer. No, sir.

Question. How many do you suppose there are ?

Answer. I could not estimate them at all ; but I have heard men say, who probably know better than I do, that there were not exceeding 500 negroes who voted for the reform ticket at the last election.

By Mr. BLAIR :

Question. Would there not have been many more but for the intimidation employed against them ?

Answer. I cannot tell that ; I think there would have been more in my county ; but I cannot answer for the rest of the State.

By Mr. COBURN :

Question. Did I understand you to say that no honest man in office would be disturbed on account of his political opinions ?

Answer. I do not think so.

Question. Did you say that ?

Answer. Yes, sir.

Question. Were dishonest officers so disturbed in South Carolina in former times? If so, when and where?

Answer. I do not remember any instance.

Question. Then, is not this disturbance of dishonest officers a new remedy adopted in your State?

Answer. Yes, sir; so far as it has been applied.

Question. In former times legal remedies were resorted to?

Answer. Yes, sir.

Question. In your opinion are both of these remedies necessary?

Answer. I think not.

By Mr. POOL:

Question. How many outrages, such as breaking open houses, scourging people, &c., have occurred in Newberry County within the last two years?

Answer. I have not heard of any case.

Question. You have not heard at all of any colored people being whipped?

Answer. No, sir.

Question. Is there any organization of Ku-Klux in that county?

Answer. I stated, in answer to a question by the chairman, that I did not believe there was any general organization.

Question. Are the negroes in favor of the removal of the disabilities of the white people?

Answer. I cannot tell. I believe, though, that if they were let alone they would be kindly disposed to the white people.

Question. Have you not often heard them express a desire for the removal of the disabilities from the white men, so that all can have equal political rights?

Answer. I have heard very few negroes express any opinion on the subject.

Question. Have you heard any opposition to it at all?

Answer. No, sir.

Question. In speaking of that Laurens riot, I asked if any white men were killed, and you said that one white man was killed.

Answer. Yes, sir.

Question. How many were wounded on that occasion?

Answer. I do not remember to have heard of any being wounded, except those who were killed.

Question. Neither white nor black?

Answer. Neither white nor black.

Question. Do the counties levy a tax for the support of free schools?

Answer. No, sir; the free-school fund is made up of an appropriation by the legislature. I am speaking now without perfect information on the subject, but my impression is that the appropriation was only \$50,000; and then the poll-tax is appropriated for that purpose. The county assesses no tax for school purposes.

Question. You have said a great deal about the corruptions of the Government of the State of South Carolina. Have you not heard of great corruption among officials in Albany and New York City?

Answer. O, yes, sir.

Question. Do you think that is any excuse for persons going about in disguise, at night, and taking people out of their houses and whipping them?

Answer. I do not think it is; I think it would be better to resort to the courts to correct those evils.

Question. It is not a remedy at all?

Answer. I do not think it is; I do not know that it will correct the evil.

Question. Does it not raise the danger of retaliation?

Answer. Yes, sir; there is that danger.

Question. Have you ever heard of any man being punished for going about in disguise and committing these outrages?

Answer. No, sir; I have not.

Question. Does not the fact that they are not punished tend to make evil-disposed men assume such disguises, and commit all manner of outrages for private revenge and plunder?

Answer. It would naturally lead to that if it should continue, I should think.

Question. And therefore, in your opinion, such practices are injurious to the peace and safety of every community in which they occur?

Answer. Yes, sir.

By Mr. BLAIR:

Question. You have spoken of one or two riots; one that occurred in Laurens, and one or two that occurred, or were about to occur, in your own county, that came very near occurring. I want to ask you this question: Have not all the riots that have

occurred in your State, so far as you know, originated in the arming of the negro militia there?

Answer. Yes, sir; they have, unquestionably.

By Mr. POOL:

Question. Has the arming of the militia been the cause of men being taken out of their houses and scourged by disguised men—what is generally known as Ku-Klux outrages?

Answer. I do not know that it has.

Question. Would not the fact that the negroes were armed be apt to keep men from doing those things? If the negroes were totally unarmed, could they not commit those outrages with greater safety?

Answer. Yes, sir; of course. If a man was supposed to be entirely defenseless, it might invite violence that would not otherwise occur. But these men generally go in numbers sufficient to overcome any small opposition.

Question. Have you heard of any retaliation by colored men for such outrages?

Answer. No, sir; I have heard of none.

By Mr. BLAIR:

Question. Did you hear of the case of some old man who was accused or suspected of having participated in some such outrage in one of the districts, and who was arrested without any proof at all, and trotted up and down the street at double-quick until he fainted?

Answer. I heard something of a case of that kind up in Spartanburg, but I am not familiar with it. I heard that an old man up there was arrested without a warrant and double-quickened for some distance.

Question. By one of those militia companies?

Answer. By a militia company; but I am not familiar with that case; I heard something about it.

By the CHAIRMAN:

Question. You say that this discontent which exists throughout your State is caused by the bad condition of your State government, referring particularly to the instances which you have given, in relation to railroads, the State bank, and high taxation. Is this discontent expressed principally by the property-holders of the State?

Answer. It is expressed by all classes.

Question. Do the classes who pay no taxes complain of the taxation?

Answer. No, sir; of course those who pay no taxes do not complain of it.

Question. There is a large class there who pay very little tax?

Answer. Yes, sir.

Question. Are not the complaints principally made by the owners of property who are heavily taxed?

Answer. It falls most heavily upon them, and they are likely to be the loudest in their complaints.

Question. How is it in your own town?

Answer. There is a general complaint there among the people of those practices to which allusion has been made.

Question. The discontent expressed also takes a party form, does it not? The majority in the State being republican, and this tax having been imposed by a legislature in which the republicans have a majority, it has been charged by partisan newspapers against the administration, has it not?

Answer. I do not think the people would complain so loudly if they believed and felt that the money which they paid for taxes was properly expended.

Question. That is not the question I asked. I know that complaint is made; but has not the complaint been made more loudly by the democratic party against a republican State administration?

Answer. It must necessarily be so, for the democratic party are the white people of the State, and the republicans are in power.

Question. And to the extent a defense is made against those charges, it is made also in a party spirit?

Answer. Yes, sir.

Question. And then those outrages which are committed as one means of remedy are committed also by the party which complains, are they not?

Answer. Yes, sir.

Question. Are they committed by the tax-payers, or by what class of democrats are they generally committed?

Answer. I am not able to say; I cannot tell whether they are tax-payers, because I have not the remotest idea of who they are; but my impression is that tax-payers are generally law-abiding men.

Question. Then it is their complaints, the complaints of those democrats who are the

principal property-owners and tax-payers, that give rise to those outrages, let the outrages be committed by whom they may ?

Answer. The disaffection is general.

Question. I understand ; but I want to get at who are responsible for these outrages, at whose instance they are committed. Do any complain of the State government but the white people ?

Answer. The white men are those who complain.

Question. And they are principally, almost entirely, of the democratic party ?

Answer. Yes, sir.

By Mr. BLAIR :

Question. How many white republicans are there in the State ?

Answer. I am not able to say ; but I doubt if there are 3,000 in the State.

By the CHAIRMAN :

Question. Then these outrages, which are committed as a means of redress of these wrongs, are committed entirely by white men who are democrats ?

Answer. They cannot be ascertained.

Question. Does not that follow as a necessary consequence ?

Answer. If they are committed by white men, it does ; but it is impossible to know who commit these outrages.

Question. Do you say that it is your belief, from all the information that you have, that those outrages are committed in any instance by negroes in disguise ?

Answer. In regard to those I have my information about, I have never heard that they were colored men.

Question. So far as you know, they are all white men ?

Answer. So far as I know.

Question. I understand that you act with the democratic party there. I will ask you if you, and the white men in Newberry who act with you in the democratic party, have ever made any combined effort to bring to justice those men of your own party who have committed those offenses ?

Answer. There has never been any public demonstration on the subject ; but I know that it is the wish of all good people to prevent these things, and they would prevent them if they could ; all the good people in the community, although no public demonstration has ever been made.

Question. Then, as you say that these men, who thus take the law into their own hands, do so as one means of redressing these things of which complaint is made, do you feel, on your own part and on the part of the other democrats there, that you have no responsibility for that ?

Answer. I do not feel any responsibility on my own shoulders. The machinery of the courts and the government, as I believe, is strong enough to suppress violence, if proper instruments are put at the head of the courts.

By Mr. VAN TRUMP :

Question. Do you know of any other possible mode of reaching those men, they being unknown, than by the process of the courts ?

Answer. That is the only way.

By the CHAIRMAN :

Question. If they all belong to one party, and that the party complaining of the wrongs which those outrages are meant to redress, is it possible that such an organization, if it existed, could not be known to enough of men to bring them to justice ?

Answer. I think if there was a permanent organization in the district, it would soon be known, and the courts would be strong enough to put it down ; but I do not believe there is a permanent organization.

Question. In regard to this Greenville and Columbia Railroad stock of which you have spoken ; you have stated that that stock was bought up by the governor, the State treasurer, and other State officers ?

Answer. Yes, sir.

Question. Where is the evidence of their being the owners of that stock ?

Answer. It is published ; and most of them are now directors of the road.

Question. That is what I want to ascertain. Are the names of those persons who bought that stock in any of the public documents published by the State ?

Answer. I do not know that they are ; but I have seen published, time and time again, the names of all the owners of shares in that railroad.

Question. That was one of the subjects of complaint, was it not, in your recent governor's election, last year ?

Answer. Yes, sir ; a great deal was said about that.

Question. Why did not others buy that stock ? It was open to sale, was it not ?

Answer. Yes, sir.

Question. There was no restraint upon the individual holders, compelling them to sell their stock at 10 cents on the dollar?

Answer. It was not known to the stockholders to whom they were selling; they were selling to agents who represented an unknown body of men; and in my county they were in doubt, for a long time, whether they would sell or not.

Question. If you were an owner of any of that stock, there was no constraint upon you to sell it to anybody?

Answer. No, sir.

Question. And there was no opposition to your buying as much as you could get of it?

Answer. No, sir.

By Mr. BLAIR:

Question. Was it not represented that the State, having a lien on the road, would sell out the road under that lien, and thus render the stock worthless?

Answer. Yes, sir; there was some report of that sort, that the road would be sold out by the bondholders; and I think some proceedings were instituted in some of the courts by some of the bondholders before this thing came up, looking to a sale of that road.

By the CHAIRMAN:

Question. Was there anything at all said, of a public character, about it, prior to the time this stock was bought up?

Answer. Nothing, except the proceedings in court on the part of some of the bondholders. I think a proceeding was instituted in the court to foreclose a mortgage upon the road for bonds. That proceeding was hung up in court, and there was a general uneasiness on that subject.

Question. That impaired the value of the stock?

Answer. Yes, sir.

Question. Who were the bondholders?

Answer. I do not know who they all were.

Question. Were the bonds held at home or abroad?

Answer. Some by parties in the State, and some abroad.

Question. Did the State government have anything to do with instituting that proceeding?

Answer. No, sir.

Question. Then the depreciation in the value of the stock resulted from the proceedings on the part of the bondholders?

Answer. I do not know that the stock was greatly depreciated by that. But there was an apprehension that the road would be sold, and that the stock would have no value at all.

Question. Then all the corruption alleged in regard to that railroad was after the purchase of the stock; there was no corruption in buying the stock; nothing wrong in anybody buying it who wanted to buy it?

Answer. No, sir, except that the stockholders were not advised as to who were buying this stock. If they had known what was to come they probably would not have sold as they did.

Question. That is an ordinary case of a buyer and seller; the buyer making the best bargain he can, and the seller getting the best price he can?

Answer. Yes, sir.

Question. Then, when you come to the notes of the Bank of the State of South Carolina, it was the same case of persons buying up the bank notes at any price they could get them for?

Answer. Yes, sir. But if the bill-holders had been advertised of the measure that was to follow in the legislature for the payment of those bills, they would have been very clear of selling them.

Question. Certainly, just as if a man was advised beforehand that in three weeks there would be an advance in the price of cotton, he would hold on for a rise?

Answer. Yes, sir.

Question. The railroad stock and the bank notes were marketable articles, like cotton and horses?

Answer. Yes, sir.

Question. Complaint was made that the legislature afterward funded the bank notes, and loaned the credit of the State to the Columbia and Greenville Railroad?

Answer. Yes, sir.

Question. As to the purchase of the stock, that was a transaction open to everybody who saw proper to go into it?

Answer. Yes, sir.

Question. You stated that you had heard that funds of the State, realized from the hypothecation of its bonds in New York, were used to pay for this railroad stock?

Answer. I have heard that.

Question. Have you any other evidence of that than mere newspaper charges?

Answer. That is all I have heard. I have seen it charged time and time again in the newspapers, and I have not seen it denied in the same public manner.

Question. Did you see any of those charges and grounds of complaint against the State government prior to the calling of the tax-payers' convention?

Answer. Yes, sir.

Question. Did they not enter largely into the causes affecting the financial credit of the State?

Answer. Yes, sir.

Question. Did not that tax-payers' convention consist almost exclusively of the political opponents of the governor?

Answer. Yes, sir.

Question. And did not that same convention, after full examination, exonerate the governor to a very great extent from most of the charges made in reference to his administration?

Answer. I understood it, it was simply in regard to the increase of the public debt of the State.

Question. Did not the newspapers, before the tax-payers' convention met, publish charges that the debt of the State was \$25,000,000 or \$26,000,000?

Answer. Not so much as that.

Question. How much?

Answer. About \$14,000,000 or \$15,000,000, I believe; and perhaps \$20,000,000 if the liability of the State for railroad indorsements had been included.

Question. The newspaper charges run the debt up to over \$20,000,000?

Answer. I do not think so; it is not my impression that they charged it was over \$20,000,000.

Question. They did run it up to \$20,000,000?

Answer. Yes, sir, including the liabilities arising from railroad indorsements.

Question. And the result of the investigation by the tax-payers' convention was to fix it at \$9,000,000; and you do not know that that includes or not the railroad indorsements, as you say you have not read their report?

Answer. I know it did not include the railroad indorsements.

Question. You say you have not read the report?

Answer. I have not read it; but I understood, from information like that I have in regard to all other matters, that it only included the funded debt.

Question. You have spoken so much of "information." Have you talked this matter over with Mr. Seibels since you have been here?

Answer. No, sir, not much; I have had some talk with him, but I have not received any additional information from him.

Question. Such as your information is, it has been gathered from general newspaper rumors, &c.?

Answer. Yes, sir.

Question. You spoke of a riot that was likely to occur at Newberry, on the occasion of an attack made upon a colored man for voting. Was any effort made in your county to deter the colored citizens from voting as they wished?

Answer. No, sir.

Question. Were you a member of a democratic club in that town?

Answer. No, sir; I took no active part at all in politics.

Question. Did not a committee, appointed to investigate the elections occurring in that region, report that resolutions were introduced in a democratic club in Newberry County to the effect that no member of the club would, after the expiration of present contracts, rent lands to or employ or patronize any radicals?

Answer. I think something of the sort was agitated at the former election, but I think not at the last election.

Question. In the first place, did not a committee make a report to that effect?

Answer. No, sir; I do not know anything about it; I do not belong to any of the clubs, and do not attend any of their meetings.

Question. I will read from a report made to the legislature, as follows:

"Resolved, That no member of this club shall employ, rent lands to, or patronize any radical, after the present contracts shall have expired. And that from this date we will not give employment to any freedmen who are straggling over the country as day-laborers, who cannot show certificates that they are members of some democratic association."

Have you any knowledge of any such resolutions having been passed in Newberry County?

Answer. I think there were some resolutions of that character passed by some of the county clubs after a former election; I think it was after the election; but I do not believe they were adopted by the county clubs generally.

Question. They were adopted in some of the clubs in the county?

Answer. I think so.

Question. Were they intended to be acted upon when they were adopted?

Answer. I cannot tell; I suppose so; they were sincere at the time.

By Mr. VAN TRUMP:

Question. Do you know whether, at various points in the North, where the republicans have clubs, their practices are in entire accord with that proposition?

Answer. I have heard so; I am not familiar with those things; but I know they were not acted on in our county. The colored people in my county find employment on the plantations there whenever they want it.

By the CHAIRMAN:

Question. You have spoken of negroes being in town with their arms, and also of their numbers. At the time they were there, had they the power, if they had seen proper to exercise it, to attack and overcome the white people?

Answer. They would not have had a very easy-going thing of it; but they outnumbered us there considerably.

Question. Did they, upon that occasion, make any attack upon the white people?

Answer. I knew of one instance —

Question. I want to confine your attention to this instance when you say they were there and had their arms.

Answer. I referred, in answer to a question, to their celebrations; they had frequent political celebrations near the town, and would march into town in the evening and take possession of the public square.

Question. Did they, at those times, attempt any violence on anybody?

Answer. They did not, but they threatened frequently.

Question. Did they ever threaten to kill or murder anybody in the town?

Answer. On the night of the Fourth of July, after they had had a celebration, they set upon the town marshal there, and he had to take refuge in a store there to save his life; I saw that myself. Pistols were fired in the dark, and threats were made against the whites; they dared us to come out on the streets and fight it out.

Question. Was that by the whole body of the colored people?

Answer. It was by a part of the people who had been out that day; and they kept up their orgies during the night.

Question. Did they attempt any violence when they were out as militia companies armed?

Answer. No, sir.

Question. You say you were very close to where Young lived at the time of the attack upon him?

Answer. Yes, sir.

Question. How far do you reside from where he lived?

Answer. No more than one hundred and fifty yards, if so far.

Question. At what time in the night was the attack made upon his house?

Answer. It was said to have been at 12 or 1 o'clock at night.

Question. You have already said that Young was wounded slightly at that time, and that his wife was wounded slightly; was not his child also shot?

Answer. Yes, sir; his child was wounded, but I forgot to state that—slightly wounded.

Question. Was there not a discharge of a volley of musketry into the house after they had thrown a turpentine fire-ball into it?

Answer. So Young stated; but I was sleeping so profoundly that it did not disturb me.

Question. And after they had fired upon Young and he had fired upon them, did they not then go to the house of Trial Justice Long in the same town?

Answer. No, sir; I do not think they went to his house; I do not think they went to his house at all.

Question. Did they go to the house of Mr. Hailstock?

Answer. He did not live in town; he lives out of town some fourteen or fifteen miles.

Question. Had they not the night before that warned the probate judge?

Answer. No, sir; the probate judge had left the town that day.

Question. Had he not been warned to leave?

Answer. He had received a notice, or a notice was appended to the door of his office, some weeks before, probably a month before, telling him that he had better leave.

Question. You say the trial justice was not visited that night?

Answer. No, sir; I think not; I did not hear of it.

Question. All the county commissioners and the probate judge were republicans?

Answer. Yes, sir.

Question. With the amount of noise and confusion resulting from all this firing, and the wounding of these men, at 12 o'clock at night, was there any rousing of the citizens to ascertain the cause of it, and to follow after these men?

Answer. There was not; I suppose there were a great many in my situation who knew nothing of it until the next morning.

Question. In what part of the town did it occur?

Answer. In the very center of the town; or not in the center precisely, but near the heart of the town.

Question. Did not Young cry out and make an alarm?

Answer. I do not know that he did.

Question. Did not his wife make an alarm when she was wounded?

Answer. I do not know, sir.

Question. Did not the child?

Answer. The wife and child did not come out of the house at all; I suppose they must have cried out.

Question. And it was at that house that Faulkner was wounded?

Answer. It is said so.

Question. And all that aroused no person in town?

Answer. No, sir.

Question. The Ku-Klux came in and rode out without anybody knowing anything about it?

Answer. There may have been persons aroused; the sheriff got up and went out as soon as he heard of it, but they had disappeared.

Question. Was any attempt made to follow them?

Answer. No, sir; I think they disappeared very soon after Faulkner was shot, and that was soon after they came into the town; they were not there long.

Question. You said that at the time of the difficulty on the day of election the white men were armed. Did they come armed to the election?

Answer. Yes, sir, with their pistols. I said they were armed; some of them were and some were not.

Question. The negroes were not armed at the election, but they had their arms at the armory?

Answer. Yes, sir. I saw some pistols displayed, but many persons were there without arms.

By Mr. BLAIR:

Question. You have spoken of the discontent which was wide-spread throughout the State, on account of the maladministration of the State and county governments. The chairman put a question to you, asking you if the property-holders were not democrats, and hence this disaffection arising from maladministration affected only the property-holders. But did not the election law, and the arming of the militia, which was part of the action of the party in power there, affect all classes of the white people?

Answer. Certainly it did.

Question. And added to the discontent in the State?

Answer. Yes, sir.

Question. In regard to the transactions in reference to the Columbia and Greenville railroad stock, and the notes of the Bank of the State of South Carolina, do you not see a difference between a ring of official persons able to control the legislature of the State, and thus to effect the funding of those bank notes, and to add to the value of this railroad stock by legislation—is there not a great difference between a ring of that kind entering into these speculations, and ordinary transactions between individuals in making bargains, referred to by the chairman?

Answer. Certainly; it would amount to this, as I said in my answer to the chairman: If the holders of those bills and the owners of that stock had been advertised of what was in view, they never would have sold. It was a secret kept within the ring.

Question. And the ring being composed of official persons, clothed with authority in the State, had the power, subsequent to the purchase of this stock and of these bank notes, to get such legislation as would add great value to what they had thus purchased?

Answer. I suppose that there is no doubt that they knew perfectly well, when they set out to buy up those bills, what legislation would follow.

Question. And the legislation followed, as I understood you to say; first funding the bank notes in the ordinary way, and issuing bonds for them, dollar for dollar, and paying 6 per cent. interest; and subsequently, the next year, still further legislation was had, by which the interest on those bonds was made payable in gold coin?

Answer. Yes, sir, by a subsequent act.

Question. Was that transaction regarded in South Carolina as a corrupt transaction on the part of the officials engaged in it?

Answer. Yes, universally regarded so.

By Mr. VAN TRUMP:

Question. And you do not think public opinion very wrong on that proposition?

Answer. I do not.

By Mr. BLAIR:

Question. Who was employed by this corrupt ring to purchase the stock of the Greenville and Columbia Railroad from the individual stockholders? What individuals were employed by them to make this purchase?

Answer. I have heard that Governor Orr and Jacob Reed, of Anderson, two of the directors in that company, were the agents for buying stock in the upper part of the State.

By Mr. BECK:

Question. From their own stockholders?

Answer. Yes, sir.

By Mr. VAN TRUMP:

Question. Was that after Governor Orr became a republican?

Answer. I do not know exactly when he did become a republican. That was some time last year. I heard that they were two of the agents; I do not know how true it is; and I heard that they were well paid for it. My impression is that if the stockholders had been advertised in advance who were to be the owners of this stock, those gentlemen would not have been able to effect purchases at the very low price they paid.

By Mr. BLAIR:

Question. They concealed from their own stockholders, for whom they were directors, the fact that the stock was being purchased by officials of the State government?

Answer. It was not known.

Question. And the whole matter was paid for, as you understand, by drafts from the State treasurer on the agent of the State in New York?

Answer. So I heard; I do not know how true it is.

Question. Is that the general belief in your State?

Answer. Yes, sir.

By Mr. BECK:

Question. What amount of money was paid to those agents for buying up this stock?

Answer. I have heard it said that they received \$20,000 each.

Question. Orr and Reed?

Answer. Yes, sir.

By the CHAIRMAN:

Question. Is there any evidence other than public rumor that they did get anything?

Answer. I do not think there has been any investigation; it has been charged publicly.

By Mr. BLAIR:

Question. Is there any means of having an investigation into those transactions?

Answer. No means now; they have the entire control of the road.

By the CHAIRMAN:

Question. Is there any evidence to show that the fund drawn on in the city of New York was the fund of the State?

Answer. I can only tell you what I have heard, that Kimpton had possession of certain bonds of the State, which he hypothecated to get a loan for this purpose.

Question. You have heard that?

Answer. I have heard that.

Question. Have you anything else than hearsay information on that subject?

Answer. No, sir.

Question. Where did you hear it?

Answer. I have seen it in newspapers time and time again, and heard it talked about.

Question. That is all the evidence you have?

Answer. Yes, sir.

By Mr. VAN TRUMP:

Question. And you never saw it denied?

Answer. No, sir.

Question. Nor heard it denied?

Answer. No, sir.

By Mr. POOL:

Question. Are you in the habit of reading the republican papers?

Answer. I read the republican paper published every day at Columbia.

Question. Did that paper never deny that Governor Orr and others were implicated in those fraudulent transactions?

Answer. I do not remember that it did.

By the CHAIRMAN :

Question. Do you in your State, look upon Governor Orr as a corrupt man ?

Answer. I do not.

Question. That is not his reputation, is it ?

Answer. No, sir ; I think he is a very good judge.

By Mr. VAN TRUMP :

Question. Might he not take a big fee in a business transaction, for buying stock ?

Answer. I think he regarded it in that light, as a fee that he received for acting as the agent of those parties in buying this stock.

WASHINGTON, D. C., June 24, 1871.

ROBERT ALDRICH sworn and examined.

By the CHAIRMAN :

Question. In what part of South Carolina do you reside ?

Answer. In the county of Barnwell.

Question. What is your profession ?

Answer. I am a lawyer by profession.

Question. How long have you resided there ?

Answer. All my life.

Question. Do you practice in that county alone, or through the circuit ?

Answer. Principally in that county ; I have occasionally gone out of it.

Question. Give to the committee any information you have which will throw light upon the subject of how the laws are executed in that county and circuit, and what is the security of person and property there.

Answer. For the past few years the laws have been very poorly administered in that county, arising from various causes, which I will proceed to state in detail if the committee desires. Shortly after the war our civil courts, as organized prior to the war, recommenced operations. They were shortly curtailed in their operations by the military power stationed in the State ; the authority of the courts was very much abridged, and the judges of the State manifested an indisposition to hold their courts as they had done, because they were interfered with by the military officers there ; so there was, practically, very little administration of the law by the old organization. Very soon after the reconstruction acts went into operation, they were supplanted by provost courts, which were composed of one Army officer and two residents of the community in which they operated and over which they had jurisdiction. The citizens, the natives, who were put on these courts were generally men of bad character and of very little intelligence ; the Army officers, who were the presidents of the courts, were generally very partisan in their views, and seemed to have the impression that the white citizens of the community were desirous of oppressing the colored citizens of the community. They exaggerated that impression, and seemed to officiate with a view of correcting what they considered a prevalent abuse.

Question. This was under a military government ?

Answer. Yes, sir.

Question. It has not been the intention of this committee so far to go into the administration of the law by the military tribunals before the State government was put in operation ; what they desired was entirely in reference to the civil government.

Answer. When the constitution of 1868 was ratified by the people and approved by Congress, the legislature met, and elected judges to preside over the courts. The judges whom they elected, although I think they were generally very well-meaning men, were inexperienced men. The class of jurors who were drawn under the jury laws was entirely different from the character of those we had previously had ; they were not familiar with the duties of their station. The fact that these courts were inexperienced caused the business on the dockets to accumulate to a frightful extent ; and the courts are now overridden with an amount of business that I do not think they will get through with for many years. That has caused the administration of justice in a great measure to be delayed in our country. In the cases that have been tried, I think substantial justice has been done, or at least as much so as we could expect under the circumstances.

Question. Does that remark apply to the trial of civil issues between parties involving civil rights as well as to the trial of criminals ?

Answer. Yes, sir, so far as that has gone ; but in my section there has been but little civil business done.

Question. In what circuit is that ?

Answer. It is in the second district.

Question. What judge presides over the courts in that district?

Answer. Judge Platt did; he died last spring.

Question. Has there been any complaint of lawlessness in any form, against which there has been no adequate redress?

Answer. None in my section as to persons, but considerable as to property.

Question. What form did that lawlessness assume—the form of larceny?

Answer. Larceny, arson, and burglary.

Question. Are the criminals arrested in those cases?

Answer. No, sir.

Question. Have they been detected?

Answer. No, sir, not all of them; in the cases where they have been arrested they have been lodged in jail, and have either been tried or are awaiting their trial.

Question. Has there been any organized effort to screen them from punishment?

Answer. None but what prevails among that class of population; they shield one another as much as they are able to do, and they have it in their power to do it to a great extent, from the fact that our white population is vastly in the minority there. One white man will own a large body of land, and a great many colored people will be on his place. He attends to his business by day, goes to bed at night, and while he is asleep these depredations are committed. It is impossible for him to work all day and watch all night, and his hands will not help him to protect his property.

Question. You speak now principally of larcenies?

Answer. Yes, sir; such as the stealing of his fowls, his hogs, cattle, horses, and ravaging his fields.

Question. Were offenses of that kind before the war, when committed on plantations, ordinarily prosecuted and punished by the courts?

Answer. No, sir; I do not think a man ever prosecuted his own slave for a larceny. But for any such crime as burglary or arson, or anything of that sort, he would be turned over to the courts.

Question. Is the class of offenses of which you are speaking principally that of larceny, or does it embrace any large number of the more heinous crimes, such as arson and burglary?

Answer. They are comparatively few in comparison to the number of larcenies; but there are a great many of them, sufficiently so to render the peace of society very much disturbed and property very unsafe.

Question. Have the officers of the law ever manifested a disposition to bring to justice such offenders as can be discovered?

Answer. Generally so; they generally manifest very great disposition to do so, and I think the most of them are perfectly earnest, but they are very incompetent.

Question. You think, then, the principal obstacle to the administration of justice in this class of cases is the difficulty in discovering the offenders?

Answer. That and the incompetency of the officers; the two together.

Question. Do you refer to the superior or inferior officers?

Answer. To the inferior magistrates.

Question. Does that difficulty exist to a great extent in your county?

Answer. Very great; there is but one magistrate in my county that I consider competent to fill his situation.

By Mr. VAN TRUMP:

Question. Are the magistrates of your county generally colored men?

Answer. No, sir; they are generally white men; there has been but one colored man appointed trial justice in the county, and Governor Scott told me that that was done under a misapprehension; that he did not know he was a colored man; if he had, he would not have appointed him.

Question. But whether white or black, they are totally incompetent?

Answer. With one exception, yes, sir: there is one exception, a magistrate living in my immediate neighborhood. He was formerly a lawyer at the bar, and commissioner in equity; he is a trial justice there, and is a credit to the community.

By the CHAIRMAN:

Question. Is there any other fact in connection with the inquiry that I put to you that you wish to state to the committee?

Answer. I think I have stated in a general way about the correct state of affairs. There are some particular instances that I might mention, perhaps, that would give the committee a correct view of how matters stand. Do you wish to know as to the character of the parties who have committed these offenses?

Question. Our inquiry more particularly involves the question of how the law is executed against them, let them be who they may.

Answer. I do not think there is any difference where the laws are executed.

Question. I have no objection to your stating anything that will illustrate in any way the question we are investigating.

Answer. The principal complaint we have down there is the inefficiency of the officers who are charged with the administration of the laws. They have not the experience or the ability, and in many instances I do not think they have the inclination to enforce the laws. I think that where men of property are charged with crime—in fact, I know that to be the case; I am a practicing lawyer at the bar, and at the last session of our court the solicitor of our circuit was sick, and the presiding judge appointed me to act in his place; all the public papers were turned over to me, and I had an opportunity of investigating thoroughly the manner in which the criminal justice of the country was administered—I found that in cases where men had property they could pay out, as it was called; they could pay the inferior magistrate to withhold the warrant and papers, and to settle the case. And where men had no property, but had political influence, they also escaped the penalties of their crimes. I know that in a great many cases.

Question. Did you find that to be so in many cases that came under your cognizance as prosecuting officer?

Answer. Yes, sir.

Question. Did you proceed against the magistrates who acted thus corruptly?

Answer. I presented them all to the grand jury.

Question. Has the grand jury acted upon their cases?

Answer. They have not yet, because the judge died; but those cases will come up at the next term of the court, and I have no doubt bills will be found against them.

Question. You say the magistrates were mostly white men?

Answer. Yes, sir.

Question. Were those persons colored men or white men who, you say, made use of their political influence or their money to get clear of the punishment of their crimes?

Answer. Colored men used political influence, and white men used money.

Question. Does that apply to all of the inferior magistrates of the county? How many trial justices have you in the county?

Answer. We have six or eight, and I presented three of them. I said that there was but one colored man appointed as a trial justice; I will correct that; there are two; but one is so near a white man that I overlooked it.

Question. Were either of the colored men involved in this sale of justice?

Answer. Neither one; but I had occasion to present one of them for withholding papers necessary to the conviction of a very reprehensible class of criminals. For instance, a man was indicted for the murder of two democratic candidates for minor offices in the county. The party of men who murdered them came to their houses at night, called them to the door, and they were shot down. The candidates went to the door and they were asked for tobacco, or something of that sort, and while they were endeavoring to get what they wanted, whether water or tobacco, or whatever it was, they were shot down. In both instances those men lived a sufficient length of time to make declarations, and upon their declarations investigations were had and parties were arrested. Coroner's inquests were held, the coroner's juries being composed nearly entirely of colored men, and they presented two men as the criminals.

By Mr. VAN TRUMP:

Question. Colored men or white men?

Answer. Colored men; one was named Jupiter Johnson, and the other was named McCrary. Only one of those presented was arrested.

By the CHAIRMAN:

Question. What did the justice withhold from you?

Answer. When I came to examine that case and make out a bill, I found that the evidence was reported in such a meager manner that I had nothing upon which to send a bill forward. For instance, the testimony of the doctor who performed the *post mortem* examination was not reported; the testimony of the wives of the men, who were in the houses at the time the shooting took place, was not reported, nor were they examined before the coroner's inquest; and the dying declarations of the men were not reported.

Question. Is it the practice in your State, where a coroner's inquest is held, to report the testimony, or simply to report the result?

Answer. To report the testimony also; the testimony of every witness must be reported.

Question. Would that testimony be received in the court on the trial?

Answer. No, sir; I think the law requires it to be done; the only reason I can see for it is for the information of the prosecuting officers.

Question. The names of the witnesses were reported to you in the proceeding?

Answer. No, sir; only the names of the witnesses who testified.

Question. The names of all who were examined before the coroner's inquest?

Answer. No, sir; the names of the parties whose testimony was reported were marked on the bill; but there were some witnesses examined before the inquest whose names

were not reported, nor was their testimony reported. The law is, that wherever a sudden death occurs by violence, or is believed to be in consequence of violence, the nearest magistrate is required to hold an inquest, and to summon all who know anything about it, to take all the evidence in writing, and report all of it to the court of general sessions.

Question. Did you take a rule on him to make a return of the additional information which was not embraced in his return?

Answer. I took a rule on the magistrate to do so.

Question. Did he make it?

Answer. He has not done so. The law is this: if a prisoner is in jail, or whether in jail or not, if he appears at two terms of the court and demands his trial, and the State is not ready to go on, he has a right to be discharged on his own recognizance, without bail.

By Mr. VAN TRUMP:

Question. I understand you to say that the wives of those two men were not examined at all?

Answer. They were not examined, or if examined, their testimony was not reported.

By Mr. BLAIR:

Question. And this testimony was withheld for such a length of time that two terms of the court passed, and the prisoners were discharged?

Answer. Yes, sir: I was going on to explain that. This prisoner who was arrested was lodged in jail at the fall term of our court. The judge was sick and could not act, and therefore he was not tried at that term. At the spring term of the court the solicitor was sick, and I was appointed to take his place. I took this evidence, and tried to ascertain who were the other witnesses. The only people I could ascertain were those suggested to me by the record, and I could not get any enlightenment from them. As I knew that the prisoner would be obliged to be discharged on his own recognizance, if a bill was not given out, I run the risk of giving out the bill, so that if I succeeded in getting a true bill from the grand jury, I would have time by the next court to get up the evidence for the trial of the case. But the evidence was so insufficient that the grand jury threw out the bill.

By the CHAIRMAN:

Question. The man accused of the crime was in jail?

Answer. Yes, sir.

Question. Would that law of yours to which you refer apply to a person who is in jail, and there was no term of the court held?

Answer. It has been so decided, that if he is in jail during the time when the law requires the term of the court to be held.

Question. Did you investigate the case so as to be able to say whether the magistrate did withhold the papers corruptly, or was it from inexperience?

Answer. I should say it was from inexperience.

Question. You do not believe it to be from any desire on his part to obstruct justice?

Answer. I do not, but people in the community there do, upon the ground that this man in jail was a prominent public canvasser. I know the trial justice myself, and I do not think so.

Question. That case would illustrate the misfortune of having inexperienced justices?

Answer. I think so.

By Mr. VAN TRUMP:

Question. Was he a man likely to be influenced by other and superior men around him?

Answer. Very easily. I think any gentleman in this room could influence him to do anything he wanted him to do. I know I could, and I have done so. I do not think I have exerted any improper influence on him, but I have caused him to do things which he would not have done if left to himself.

Question. With which political party do you act?

Answer. I have heretofore acted with the democratic party, except that last fall I acted with the reform party; we ran a republican for governor.

Question. You do not think there was any corrupt design in withholding this testimony?

Answer. I do not myself think so.

By Mr. BECK:

Question. When your people were being tried and the offenses came before the military tribunals, how was justice administered there, and how were costs taxed and collected, and what effect did that sort of administration have upon your people?

Answer. Upon that point I am able to state very fully, because I practiced in those courts. The rule for taxation of costs was a printed rule of the court; but that rule

was construed by them and made to operate in this way: if the losing party was able to pay the costs, why, they collected the costs out of him; if he was not able to pay them, then they collected the costs out of the other party.

By Mr. VAN TRUMP:

Question. The whole costs?

Answer. Yes, sir; and they were governed by no fixed rule whatever; each case was a law to itself on the subject of costs.

By Mr. BECK:

Question. How did the costs compare with costs in other courts?

Answer. They were much greater than I ever heard before. For instance, I knew a client of mine to pay \$80 costs for a case of larceny.

By Mr. VAN TRUMP:

Question. Was there any tax bill?

Answer. No, sir; they just handed out a bill of costs. It appeared to me that they just sized a man's pile and took it all. If they thought he had a horse, they would charge him costs for a \$100; if he had no horse, but had a cow, they would charge him \$25.

By Mr. BECK:

Question. If he brought a prosecution, and was successful, was he made to pay the costs?

Answer. If the other party was not able to pay it. I defended a man, charged with larceny; we was acquitted, and he was made to pay a bill of costs for eighty-odd dollars. He had no money to pay it, and they sent the sergeant-at-arms out and seized upon his horse that he had upon his place, so as to collect the amount.

By Mr. VAN TRUMP:

Question. What rank did that military chief of the court hold in the Army?

Answer. The one in my county I think was a brevet major of volunteers and a lieutenant in the Army.

By Mr. BECK:

Question. Do you know how much was collected from your people, and how much was reported to the Government?

Answer. I do not know how much was collected. Those courts were self-sustaining; the Army officers, of course, received their salaries, and the other officers received their \$3 a day; and these costs were taxed for the purpose of sustaining the courts.

By Mr. VAN TRUMP:

Question. Who were those other men?

Answer. Citizens of the county.

Question. White or black?

Answer. White men, but generally of very low character.

Question. Had that court jurisdiction over a county?

Answer. Over three counties.

Question. How often did it sit?

Answer. It would sit every month, a week at a time, and try four or five cases a day.

Question. Was the effect of that sort of jurisdiction calculated to drive people away from the courts?

Answer. They would not go there, because they could not afford it; for if they put themselves in the power of the court they would be likely to be wronged. As regards the man to whom I referred who was tried for larceny, he was acquitted, but came near having the last horse he had, with which to make his living, sold to pay his costs.

Question. No matter what the offense was, if the defendant was acquitted, and the other party could not pay, he had to pay the costs?

Answer. Yes, sir. If I indicted a man for burglary or larceny, and he was found not guilty, I had to pay the costs. But if he was found guilty, I would have to pay the costs if he could not do it.

Question. Did that have the effect of making people take the law in their own hands more than they would otherwise have done?

Answer. My clients have asked me what they had better do to redress their grievances. I told them they had better go to the courts; and they told me that if I had no other advice than that to give them, they would turn round and go home, as they had no further use for me.

By the CHAIRMAN:

Question. What date was the establishment of these military courts?

Answer. They were under the administration of General Canby.

Question. Was there one military court in Barnwell County?

Answer. Yes, sir; there was one there which had jurisdiction of Barnwell, Edgefield, and Aiken.

Question. Who was the officer who presided in that court?

Answer. Lieutenant Stone.

Question. Was he an officer of the regular Army, or of volunteers?

Answer. He had the rank of brevet major, and wore a lieutenant's uniform.

Question. Do you know whether he was of the regular Army, or of the volunteers?

Answer. I cannot say.

Question. To what arm of the service did he belong?

Answer. He was in the Fifth Cavalry, I think. Major Walker was his superior officer.

Question. Fifth of the regular cavalry, or the cavalry of some particular State?

Answer. I am not familiar with the organization of your Army.

Question. Were you in the Army?

Answer. I was in the army of the Confederate States; not in the Army of the United States.

Question. Military tribunals were very distasteful to the people, were they not?

Answer. Yes, sir; I should say they were.

Question. And the officers of the Union Army were in very bad repute in that county, were they not?

Answer. Not that I know of.

Question. As officers of the Army?

Answer. Major Walker was highly respected by all who knew him.

Question. I am speaking of the view taken of the officers of the Union Army by the citizens at large.

Answer. I do not suppose the presence of troops was pleasant to them.

Question. They looked upon them with feelings of aversion as a class?

Answer. They looked upon them as the power that had overthrown them.

Question. And consequently, all the exercise of power by the military courts was looked upon with all the feelings of prejudice that existed against the Federal Army?

Answer. I cannot say that. I think the people would gladly have applied to the courts for relief if they had received redress there.

By Mr. VAN TRUMP:

Question. You have been testifying to facts?

Answer. Yes, sir.

By Mr. BLAIR:

Question. If the same acts had been done by other persons, as well as by officers of the United States, would they not have excited aversion?

Answer. Just the same.

By the CHAIRMAN:

Question. You think the estimate put upon the action of that court had no regard at all to the feelings of the people of that country against Union officers?

Answer. I do not think so.

Question. In no degree?

Answer. I do not think so.

Question. Did they not characterize the whole system, after the conclusion of the war, as tyranny?

Answer. If you will permit me to explain, I will give exactly what were the views of my people: When the armies were surrendered, our people were led to believe, from the terms of the surrender, that their civil government would continue in operation as it then existed. When they found out they were mistaken in that, they were very much disappointed, and were filled with feelings of deep regret. They considered that good faith had not been kept with them.

Question. Was there any measure taken to report this military officer to his superior officer?

Answer. I made appeals in a great many cases, setting forth at large the facts.

Question. To Major Walker?

Answer. To General Canby.

Question. The immediate superior of this man was Major Walker, was he not?

Answer. I think he was detached from his command, and reported directly to General Canby's headquarters.

Question. Major Walker was the superior officer in that county?

Answer. He was the superior officer. He was a cavalry officer, and, upon reflection, I think Stone was an infantry officer.

Question. Do you know whether Stone was subordinate to Walker or not?

Answer. I do not know.

Question. Did you go to Walker, in whom you say you had confidence, and complain to him of Stone's transactions?

Answer. I knew he had nothing to do with these courts. Major Walker commanded

a cavalry squadron, I think, and was stationed at Aiken, which was the headquarters of all the Union troops in that county. Stone, the president of the court, was an infantry officer, I think, and messed with these gentlemen up there, and resided there at Aiken.

By Mr. VAN TRUMP:

Question. Whether he was an infantry officer or not, from your knowledge of the organization of things down there, might not Stone have been under the command of Walker in a military sense, and in a judicial sense have to report to General Canby?

Answer. I know that Major Walker had no jurisdiction over Stone in his judicial capacity, for I have sent up bills from Stone's court, and I know I had to go to General Canby's headquarters.

By the CHAIRMAN:

Question. In those cases in which you say injustice was done did you appeal to General Canby?

Answer. Yes, sir.

Question. What was the result?

Answer. I never heard from them. Those bills had to be made out in this way: if I objected to the finding of the court, and my client chose to appeal, I made out the grounds of an appeal and delivered them to an officer of the court, and he sent them up with his reports.

Question. Did you ever make any complaint as to the taxing of costs of which you have spoken—exorbitant costs?

Answer. I think I mentioned this matter among my grounds of appeal; I cannot say now positively whether I did or did not, but I know that was the principal grievance.

Question. What was the name of the case in which exorbitant costs were imposed?

Answer. In all the cases I tried.

Question. Give us some particular case in which you sent up an appeal, in which you made this complaint; name the parties to the case.

Answer. It has been so long ago, and I had so many of them, I cannot recollect very well. I recollect I defended a man named Ray once.

Question. What was he charged with?

Answer. He was charged with malicious trespass and acquitted.

Question. Were the costs imposed upon the plaintiff in that case?

Answer. They were imposed upon the party who prosecuted him, but he was not able to pay the costs, and then they were imposed upon Ray.

Question. Who was the plaintiff?

Answer. Some colored man; the case was styled "United States against Ray."

Question. What was the amount of costs in that case?

Answer. Twenty-five or thirty dollars.

Question. For witnesses, officer's fees, &c.?

Answer. They did not render any bill. In criminal cases the witnesses for the defendant are not paid; those for the State are paid.

Question. Up to what time did that condition of things continue?

Answer. Until the incoming of the State government, in 1868.

Question. Was the same officer there all the time?

Answer. No, sir; there were several; Stone was the last; a German preceded him.

Question. Did you say that the administration of the affairs of that county by military officers has had any effect upon the action of the people in reference to the courts of the State under the civil government?

Answer. I think while that administration of affairs continued there the people became so disgusted, and despaired so much of appealing to the law for a redress of grievance, that it still continues in a great measure.

Question. You mean the disinclination to go into the courts?

Answer. Yes, sir.

Question. But you say that in all the cases which do go into the courts justice is administered between man and man?

Answer. Yes, sir; I think so. Yet a great many men who remember these things have a disinclination to go into the courts. And in all cases I have tried, the losing party feels that injustice has been done him.

By Mr. VAN TRUMP:

Question. It takes some time to educate the people up to the new state of affairs?

Answer. The new state of affairs has not caused them to be much more in favor of the courts, because of the great delays in trying cases. Our dockets number hundreds of cases, and in a term of the court only ten or twelve cases are tried.

By Mr. BLAIR:

Question. What is the nature of the crimes?

Answer. The crimes committed in my country have been murder, manslaughter, assault and battery, rape, burglary, arson, riot, and larceny.

Question. To what class do most of the criminals belong?

Answer. The most of the criminals belong to the colored class.

Question. In respect to all of the crimes you have mentioned?

Answer. In respect to all of them; I do not think there is any difference.

Question. Are many colored persons convicted of killing white men?

Answer. Yes, sir.

Question. How many?

Answer. I have defended sixteen men for the murder of a white man.

By Mr. VAN TRUMP:

Question. Different cases?

Answer. One case.

By Mr. POOL:

Question. Sixteen for the murder of one white man?

Answer. Yes, sir; I acquitted fourteen, and two were convicted and sent to jail.

By Mr. BLAIR:

Question. Have any negroes been killed by negroes?

Answer. Yes, sir; I have defended two negroes for the murder of negroes, and at the last court I prosecuted one negro for the murder of a negro, and convicted him. There have been two instances, in my professional experience, of white men charged with the murder of negroes. One of them was a man by the name of Patrick. In that case the murder was committed on a day when they had the roads worked. Patrick was appointed marshal to summon out the hands to work on the road; all the men in the county had to go. He summoned the hands upon the road to work, and in going along he gave a summons to one named Prince something; he summoned him out. When he had returned, about 12 o'clock, Prince had not gone; he asked why he did not go, and he replied that it was none of his business. He told him it was his business, that he had authority there; the negro cursed him as a God damned son of a bitch, and Patrick, who is a very high-tempered man, drew his pistol and shot him. He was tried and convicted.

By Mr. VAN TRUMP:

Question. Of what offense?

Answer. Of manslaughter: the governor pardoned him in a very short time afterward. Another man, by the name of Ashley, was indicted for the murder of a colored man. The circumstances of the case were these: Ashley killed him in his father's house, at 12 o'clock at night, when he had broken in the door; Ashley says he shot him dead then. The grand jury threw out the bill. And in another case the solicitor abandoned the case.

By Mr. BLAIR:

Question. Is there any organization there known as the Ku-Klux organization?

Answer. There is no such organization in my county.

Question. Have there been any instances in which colored people have been beaten by men in disguise?

Answer. None that I have ever heard of; I may be a little too strong in saying there are none there, but I have never heard of any, and I am almost certain if anything of the sort had occurred in my county I should have known it.

Question. Has any instance of the kind been alleged?

Answer. None charged at all.

Question. Do you know of any case of corruption committed by your county officers?

Answer. Well, sir, their administration of the affairs of the county is very bad, very lamentable. They collected \$40,000 or \$50,000 from the people, yet the roads are not repaired, the bridges are not built, the public buildings are not sufficient for the accommodation of the people, and the claims of the county have not been paid.

Question. Is it the general opinion of the people of your county that the taxes are collected?

Answer. Yes, sir; all the taxes are collected, but the money is squandered.

Question. Is the same thing true in regard to State officers?

Answer. Yes, sir, generally charged so; and I know of some instances of my own knowledge which show that they are more or less corrupt.

Question. Is that the opinion of the white people generally in reference to the State government?

Answer. Yes, sir.

Question. Is it the universal opinion?

Answer. Yes, sir, I think it is, so far as I have been through the State. I have canvassed the State twice, and I have heard that charge made by every man I met.

Question. How do your colored people regard it?

Answer. I think they are heartily sick of it; they abuse it terribly; they complain against it. I think if they had any resource whatever, except the support of the democratic party, they would turn every one out; they would resort to any avenue of escape.

Question. Are the colored people hostile to the carpet-baggers down there?

Answer. I think more so than the white people; I never heard carpet-baggers abused so bitterly in my life as I heard in the canvass in my county.

Question. The canvass between De Large and Bowen?

Answer. Yes, sir; between a native colored man and a carpet-bagger.

Question. What did De Large say about them?

Answer. He characterized them as the scum of creation, the outcasts of northern society, low-down devils, and all such expressions as that, more ridiculous than anything else.

Question. Did he charge that they came there for the purpose —

Answer. Charged them as thieves and robbers and vagabonds; that is what De Large and his champions charged those people with in his canvass.

Question. Then this animosity is not confined to the white people of your State?

Answer. No, sir, and I think before long the colored people will run them all out.

By Mr. VAN TRUMP:

Question. Is it your opinion that as between a carpet-bagger, described by De Large, and a democrat, these same negroes would vote for the carpet-bagger?

Answer. They would vote for the nominee of the republican party, whoever he was; they are obliged to do that.

By Mr. BLAIR:

Question. Why?

Answer. For this reason: the negroes in our country are a very ignorant and a very superstitious class of people. Now and then you see a man down there among the negroes, like the colored people here in Washington, those who have been house-servants, or gentlemen's body-servants, men of intelligence; but the great mass of our plantation hands are extremely ignorant. They love excitement; they love amusement; they will walk ten miles after a hard day's work to go to a funeral.

Question. Do they consider that an amusement?

Answer. Yes, sir; they consider that the greatest sport they can have. A political speech is looked forward to for days and weeks ahead. They are of a very religious turn of mind; they are a superstitious people, and believe strongly in the spiritual world. They are organized into leagues, and they have speakers in those leagues once a week, orators of the party who speak to the people assembled there. They flock there in crowds; it is great enjoyment to them. Those leagues are opened by prayer, for the preachers are generally there, and they are counseled as they love their immortal souls to vote no other than the straight republican ticket.

By Mr. VAN TRUMP:

Question. What reason is given why they should not vote for the democratic party?

Answer. That if the democratic party gets into power they will be put back into slavery.

By Mr. STEVENSON:

Question. It is thought to be a sin, too?

Answer. They tell them that God has made them free, and God will punish them by slavery in this world, and damnation in the next, if they vote the democratic ticket.

By the CHAIRMAN:

Question. Is that the teaching of white men, or of colored men?

Answer. Of both; I have been there and heard them.

Question. Are these assemblages open to the public?

Answer. Yes, sir; I have been there a time or two, though hardly anybody goes to them, because they are generally held in some out of the way place. The way I came to hear what was said there was this: Shortly after the reform convention met, one of the colored men asked me if I would explain to them what that thing meant, and I said I would. He asked me if I would attend a meeting of their club; I said I would. I went there, and read the platform to them, and explained our object and aim. While I was there—I was not long at it—they called up some others to speak. They have some very adroit speakers, who spoke in the usual way.

By Mr. VAN TRUMP:

Question. It was not a secret meeting?

Answer. No, sir, it was not a secret meeting that I went to. When I was going away I asked one of them why these men spoke to them in that reckless way about the Lord

punishing them if they voted the democratic ticket, and about putting them back into slavery, &c. They said I had not heard anything of what was said there sometimes. I gathered a pretty correct idea of what was said from that.

By the CHAIRMAN:

Question. Is that what you spoke of when you said they were obliged to vote one way?

Answer. That is one thing. At the last election in my county I was run by the reform party for the legislature. On the day of election, at a place called Red Oak Grove—I heard this from my brother—some colored men went up to the ballot-box to vote. Tickets were dealt out away from the ballot-box. The managers of election were all republicans, and colored men. They asked for tickets, and tickets were given to them, and they were instructed to put them immediately into the box. One or two of them said, “I don’t care to do that just now; I want to read it first.” The managers said to them, “You cannot carry the tickets away from this table.” The man replied, “I desire to carry it away to look at it.” The managers replied to them, “You will not be permitted to do so.” But some of the people, who knew better, took the republican tickets and carried them off. They were those who wanted to vote for me and for another man nominated by the reform party. They scratched out the names that were on the ticket and put ours down. When they carried their tickets back these managers said, “Let us see your tickets;” and they showed them. After looking at them the managers said, “The law does not allow you to scratch your tickets.” One of the men said, “If I cannot vote in the way I want to vote, I will not vote at all;” and turned around to go off. When he had got two or three hundred yards off a party of men—there was a military company there under arms—one of them, a corporal or a sergeant, went after him and brought him back, and told him that if he did not go and vote the republican ticket, as the law required, he would be punished to the full extent of the law. What law he referred to I do not know; but the man understood that it was as terrible as the law of the Medes and Persians.

By Mr. VAN TRUMP:

Question. Did he go back?

Answer. Yes, sir, and voted the straight republican ticket, though he said he thought it was hard. A Colonel Duncan had been a friend to the colored people; had defended them in courts when they had no means to pay for his services; and when they had the means now to compensate him by their votes, they could not do it. I was in another place, and some men came to me and told me how things were going on, and that I could get a handsome vote if they could be protected. They said I had better call some of the men who had voted at Barnwell out there to protect them. I said that I would not do it, for it might create disturbance, but that if they would get up a statement of the facts, I would protest the election. Therefore I say that the teachings which are given to these people through their preachers and their leaders, the doctrines which are taught in their clubs, the actual exercise of power upon them on the day of election, compel them to vote in that way. I think the most of them do it willingly, but in a few instances they would do otherwise, if permitted.

By Mr. BLAIR:

Question. Did you ever know a democrat attempt to intimidate or to prevent a republican from voting or expressing his sentiments in that county?

Answer. No, sir.

Question. Did you ever hear of such a thing?

Answer. I heard of a republican, in some portion of the county, who voted, and a democrat afterward cursed him as a damned sealawag. A fight ensued, and the republican whipped the democrat.

Question. Well, he deserved it.

Answer. I think so.

Question. In your county this intimidation is generally practiced against the colored men who express a desire to vote the democratic ticket?

Answer. Or any other ticket in opposition to the republican ticket. We called it a reform ticket last year: it was not a democratic ticket, for we ran a republican for governor, and we had many colored men on our ticket for local offices. In the town in which I live, at a convention of the reform party for the nomination of candidates, a colored man by the name of B. G. Hughes was nominated for county commissioner, and accepted the nomination. He was said to be a popular man and a man of influence, and a man of more intelligence than the majority of his class. The reform convention of the county nominated him as one of the county commissioners; they asked him if he would accept the nomination, and he said he would; that he had always been a republican, still was a republican, but did not think that prevented him from coöperating with his white fellow-citizens to obtain a good local government. As soon as the convention adjourned he went down to get his horse to go home, and was set upon by a crowd of negro men, his clothes torn, his hat knocked off, and if some white men had not come up he would have been seriously injured. I heard of it, and asked him for

the facts, intending to use them to have the parties indicted under the act of Congress, which inflicts more severe penalties than our State laws. He said that he would prefer not to give them, that he had accepted the nomination as county commissioner —

By Mr. VAN TRUMP:

Question. Was he an ordinarily well-informed, firm sort of colored man?

Answer. He was more intelligent than the majority of his class; not a very intelligent man, but I suppose he was about one-third white.

By Mr. BLAIR:

Question. Did he decline to give the names of those who had beaten him?

Answer. He said he did not think it was safe for him to do so, and he also said that he must decline to run on our ticket, and hoped we would not think hard of him.

Question. Did he say he was afraid?

Answer. Yes, sir; from the demonstration made on the day of the nomination and from reports and statements that had come to him since he reached home.

Question. Do you know of any instance of a republican interfered with on account of his opinions?

Answer. None. I am speaking entirely now of my own immediate section.

Question. Do you know any other instance where democrats or conservatives have been molested by republicans?

Answer. Colored men?

Question. Either colored or white.

Answer. I do not know of any other instance besides that which occurred at the time. On the day of election I have seen colored men who were going up to vote, and who I knew were going to vote the democratic ticket, or the reform ticket; they would be set upon by a rabble of colored men, sometimes by white republicans, and would be turned off, as a crowd can push a man off without laying hands upon him; they would push them back until they got them off, and then they would not vote at all. I have heard of their receiving violence, but I cannot speak positively in regard to that.

By Mr. VAN TRUMP:

Question. Were there not white men enough there to correct that?

Answer. There were enough to correct it, if they had used violent means; but they knew if they did that it would be used to their prejudice, and would delay the peace and order in the country which they desired.

By Mr. BLAIR:

Question. Do you know any instance occurring in your county where depredations have been committed by these colored men upon the property of individuals?

Answer. Yes, sir; I know a great many instances where men's fields have been plundered, their barns sacked, their cribs robbed of grain, &c., and those who did it have never been discovered. I know of one instance in my immediate neighborhood, the most aggravated case I know of. It was the case of a young man who came out of the war very poor; he had a little tract of land, and went to work to improve it. He built a dwelling-house and out-buildings—a barn, a gin-house, a stable—the general plantation out-houses. He built them in very fine style, better than were generally built in that neighborhood. His father had a small saw-mill, and gave him the lumber, so that he was able to put up a very fine set of buildings. In 1869 he made a capital crop—fifteen bales of cotton, several hundred bushels of corn, some fine rice, &c. He sold his cotton to pay off his hands and lay in his supply of groceries. After he had brought them up and stored them in his store-room, a negro by the name of James Kerse, a notorious thief in the neighborhood, went to his house one night and broke in. These groceries seemed to entice him, and he broke into the building, helped himself to a quantity of them, and after he had carried them home, he returned and set fire to the buildings, and they were all destroyed; they were joining each other; they were all destroyed, and everything in them. The man lost about \$2,500 by the fire, besides the value of his buildings; he was thrown on the flat of his back, as when he came out of the army.

Question. Was this man prosecuted for that?

Answer. This young man, Ayer, got on the track of the man, and found him, and he said he was sorry he had done it, and would do anything he could. He was indicted, but the solicitor of the circuit was an incompetent man, and Ayer was afraid he would not do things right; he could not draw up a bill of indictment correctly; I have quashed several of them. This man Ayer employed counsel at his own expense, because he was afraid something of this kind might occur in that case. A majority of the jury were negroes, if not all of them; but the evidence was so strong, the crime was so heinous, that they convicted him; and the judge, who is a republican, and a man generally humane in his sentences, who punishes men less than they deserve, I have at times thought, said that he would punish this man to the full extent of the law, and sentenced him to the penitentiary for ten years, saying that he regretted it

was not for life. He went up to the penitentiary and stayed there about three months, when the governor pardoned him.

By Mr. BECK:

Question. Is he now back in the county again?

Answer. Yes, sir.

Question. Was he there before the election?

Answer. Yes, sir.

Question. How long?

Answer. Six or seven months.

Question. At the time the canvass was opened?

Answer. A little before. He was sentenced in January, I think, and pardoned in April; he was back there and voted at the last election.

By Mr. STEVENSON:

Question. Do you know on whose application his pardon was made?

Answer. No, sir; I do not. I suppose on application of his immediate friends.

Question. Does not the law require that the solicitor shall join in the application?

Answer. No, sir. Some men I convicted at the last court have been pardoned, and I know that no application was ever made by me for their pardon.

By Mr. BLAIR:

Question. Is this granting of pardons by the governor of the State a frequent occurrence?

Answer. Yes, sir, I think so.

Question. You spoke of some criminals who were prosecuted by yourself and convicted, and who have been pardoned?

Answer. Yes, sir.

Question. Was any intercession made for them by officers of the court?

Answer. I do not think so; I know that the judge asked me what I thought of the sentences, and I said I thought they were low, considering the aggravation of the offenses. He said the reason he made them so was that it might induce the governor to let them be punished, so that when they asked him for his influence he could say that he did not think they had been punished as hardly as they ought to have been. But some of them have been pardoned, though they were sentenced only last January.

Question. What is the sentiment of the people in regard to the influx of northern people down there?

Answer. I know they are very welcome.

Question. What do you consider a carpet-bagger?

Answer. One born and raised outside of the limits of our State, who comes there designedly and purposely to get into office by the suffrages of the colored people, and to use office for his private purposes; to make as much money out of it as he can during his term of office.

Question. You do not class all northern men who go there as carpet-baggers?

Answer. By no means. Judge Platt, a gentleman I have just spoken of, is a northern man, who came there and was elected to office. He is not regarded as a carpet-bagger. I know when he came to hold courts in our county town he was invited by members of the bar to their houses, and partook of their hospitalities; and when the members of the bar went to Aiken, where he resided, their courtesies were reciprocated. He was not only a northern man who came there, but he accepted office under a republican government; but he is as honest a man as ever lived.

By Mr. VAN TRUMP:

Question. Do you know the politics of the Daily State Journal of Alabama?

Answer. No, sir.

Question. Will you read this Associated Press dispatch and see whether you think that is a pretty good description of a carpet-bagger, such as you have just described?

Answer. (The witness read:) "We have lived in this State for more than a quarter of a century, and have never felt insecure in person or property on account of political opinions. We are sincere in our republicanism, and we feel safe because we love our people, and honestly believe that we are pursuing a course that will redound to their peace, happiness, and prosperity. Those men who call themselves republicans, and who are continually trying to get into office by stirring up discord and strife, and poisoning the minds of voters in secret dens at midnight, where honest men and sincere republicans are plotted against, simply because they are honest and sincere, and have social standing in the community, may feel unsafe. We indorse no such libels upon the whole people of our State. Radical, vulturous, Ku-Klux office-seekers, of every party, are doing us more harm as a people than all the libels ever written. We believe that every honest man is safe in Alabama, no matter what his political opinions are."

Question. Do you recognize that as a pretty good description of a carpet-bagger?

Answer. I think it a very accurate description of what I consider a carpet-bagger.

By Mr. BLAIR:

Question. What was the length of a session of your legislature before the war, and the pay of members, as compared with what it has been since the war?

Answer. Before the war the length of our legislative session was about twenty-five or thirty days. The legislature, I think, met upon the last Tuesday in November, and generally adjourned so that the members were at home at Christmas; and their pay was \$3 a day and mileage at 20 cents a mile. The last two sessions of our legislature have been shorter than the previous ones; they have generally been from three to four months, and their pay is \$6 a day and mileage.

Question. Do they manage to get a great many extras also?

Answer. I would infer so from the character of the acts they pass. If you will take up our statute-book—I would suggest to the committee if they wanted to get accurate information on this subject to take the report of the comptroller general of the State and the recent statutes of the State since 1863—and see the character of the acts passed by our legislature, you will be struck with one thing, that while there are a great many acts passed, there are very few relating to matters of public interest. They are generally charters for banks, railroads, insurance companies, volunteer companies, hook-and-ladder companies, and all that sort of thing. In a majority of instances, I think in nearly all of them, the object of having these particular acts of incorporations passed is to enable the corporators to acquire property in that way, which is exempt from taxation. These things I know. I do not say I know positively all that was done, but I think I know circumstances which justify me in making the assertion that all were paid to be put through. The Dorn Mining and Manufacturing Company desired to get a charter through the legislature for their company. I happened to be in Columbia about that time on some business with the executive; the object of my visit was to induce the governor, if possible, by giving him certain information, to believe that very serious injury would be done to our people, and out of six thousand voters I carried up a petition from 4,500, which I got in three days; and I could have gotten almost every voter in the county to sign it. The petition set forth that the measure which was about to be carried through the legislature would work serious injury to the whole county, and they begged him to veto it. I went to see the governor. Without promising to veto the bill, he clearly indicated to my mind, and that of gentlemen about there that he would do so. One gentleman who was in the interest of the Dorn Company—several, in fact, who had jobs to get through—came to me and said that as I had succeeded so well in my own business, they would like to have me take charge of theirs. I said I could not do that—I was not in that sort of work. But the gentleman who had charge of the Dorn Company was a personal friend of mine, and asked me if I would assist him. I told him if he wanted me to appear before the committee to argue his points for him I would do it; but if he wanted me to tamper with members in the way of subsidizing them I would not do it. He said he thought that was the only way in which I could do anything with them; I said I would not do it, but that I would see some of the members. I applied to a man by the name of Tim Hurley.

By Mr. BECK:

Question. Was he a colored man?

Answer. No, sir; he was a white man, and is called the speaker of the third house. He is now a wealthy man, although not long since he was quite poor.

By Mr. VAN TRUMP:

Question. Where is he from?

Answer. I do not know.

By Mr. POOL:

Question. Was he a member of the legislature?

Answer. Yes, sir; I went to him and told him the circumstance, that this man wanted to get a charter for his mine; that it would bring into the State \$160,000 or \$170,000 of cash immediately, and would help our people a great deal. He looked at me and said, "What is the thing worth?" I said, "It has not been tried yet, but we hope to make it profitable." He burst out into a laugh, and said, "You are green; I mean what are you willing to pay to get the thing through?" I said, "I am not willing to pay anything. You are legislating for our people; this is for the benefit of the people, and we demand our rights at your hands." He seemed to be almost convulsed at my simplicity, and I left him. The bill was not passed that week, and I returned to Columbia on some business afterward, and met this man, who said, "There is no other way than to pay this thing through, and I have made arrangements to do it; if you will go to the legislature to-morrow you will see the difference between your arrangements and those I have made." The bill was carried through, what we call galloping a bill through, read just as rapidly as they could read it.

By Mr. VAN TRUMP:

Question. Did you notice how this man Hurley voted?

Answer. No, sir; I did not notice that, but I know he got the money, for this man said so. My father wanted a charter for a cotton factory; he applied to Hurley, and he asked him what he was able to give for it; my father said, "I am not able to give anything; but I have this property, and I think if I had a charter I could perhaps raise means enough to make it valuable." Hurley replied, "O, judge, these things all require money; you need not talk that way." It did not get through; he applied to members to introduce the bill, and they said they would do so, but they were confident it would fail.

By Mr. BLAIR:

Question. Is it the conviction of your people generally that the legislature is run in that way?

Answer. That is the conviction of any man who has any experience, and is the positive knowledge of any man who has ever been there. I never went there but one time, and I ascertained these things in that one visit.

Question. What is the effect of this sort of thing upon the people of your State?

Answer. It has the effect of rendering them very sad.

Question. Is it discouraging?

Answer. It is very discouraging; it puts them almost in a condition of despair.

Question. Do they feel that under your election laws it is impossible to retrieve the State?

Answer. They feel confident of that. I will mention this instance to give you an idea how the election laws were administered; I think the same things occur in almost every county. I will mention a case that I know of: the reason that I was nominated for the legislature by the reform party was because of a supposed partiality to me among the colored people. I had defended a great many of them in the courts; I knew that, after the war, unless we took care of our colored people, we would come to serious grief, because they are the only class of laborers we can get. We can get no emigrants to come there, because they can get better lands in other parts of the United States. I knew we were obliged to take care of them, to make them happy and contented, in order to secure their labor. I saw and spoke to my fellow-citizens, and argued it with them. Whenever a colored man was charged with crime in the court I never permitted him to go undefended; and, consequently, I have been regarded as their champion. A colored man accused of crime would come to me and ask for my services with as much confidence that he would secure them as any of you gentlemen would have, if you should come to me and pay me an adequate fee for my services. On that account I was nominated and run for the legislature. I got votes enough to elect me; it was mathematically certain that I was elected, provided the votes were counted in my favor which were in the ballot-box for me. In order to see that they were so counted, I went to the county seat. The election law requires that the managers of election may hold the ballot-boxes for three days, and then the commissioners have them for ten days longer. On the day the votes were to be counted I went there; we sealed up the boxes, and put private seals upon them, so that if they were tampered with while in the possession of the commissioners we would be able to find it out; I went there and told the commissioners that I desired to be present when the votes were counted. I said "We are well aware that you cannot allow everybody to come into this room and overlook you, and be in your way; we don't ask that; but the public mind is very feverish on this subject, and we desire to be present, so that when the result is declared our people will be satisfied that they have justice done them." They said, "You cannot be present."

Question. They would not allow it?

Answer. No, sir.

By Mr. VAN TRUMP:

Question. Is there anything in the law to prevent it?

Answer. No, sir; there is nothing said in the law about it. I said to them, "You know how the public mind is agitated, and it will go a great way with the people and make them satisfied with the result of the election if you will permit us to remain here while the vote is counted, so that we can go out and report that everything has been properly done." They said, "You cannot stay." I took a seat there, and they sat there and said that they would not open the boxes at all. About that time the 2 o'clock train was going up to Aiken, which is the headquarters of the republican party; and one of the managers went to the depot and sent a dispatch; and by the next train about twenty or thirty armed colored men arrived there, and the votes were not counted that evening. I did not stay there all the time; I left the room. The next morning I was informed that I might be present, but when I went in I found that they had proceeded considerably in counting the votes; all the boxes had been opened, the ballots had been unfolded and spread out, and ranged on the table preparatory to counting.

Question. The same men who refused you before sent for you to come there that time

Answer. Yes, sir; I asked them "What did you open the boxes for until you got ready to count them?" They said they did it for convenience. When the result was proclaimed, the straight republican ticket was declared elected—that which was nominated by the republican convention. My name was on between five and six hundred tickets that had been polled by colored men, all republican votes—all of them voted by colored people.

By Mr. BLAIR:

Question. Do you mean that your name was on the republican tickets?

Answer. Yes, sir; some other name stricken out, and mine put on instead of it. They could not get my name off because the tickets were printed on paper like that of newspapers; my name had been written in ink, and they could not get it out without destroying the ballot. To counteract that, a pencil-mark was run through my name on the reform-party tickets; I was scratched off more reform tickets than I had received votes on the republican ticket. Among those tickets from which my name had been scratched I noticed one which had been voted by my father's brother, a strong personal friend.

By Mr. VAN TRUMP:

Question. How do you know that?

Answer. There was a question in regard to the removal of the county seat. My uncle said, referring to the name on the reform ticket, "I don't mean to vote for this man, for he is in favor of removing the court-house; I will vote for the republican, for he is opposed to removing it." My uncle also said, for he is a very sensitive man, "I suppose I will be charged with voting the republican ticket if I vote for him." I said, "No; you can vote as you please." I saw my uncle take his pencil—or rather I reached him my pencil—and he took it and sat right by me, and scratched out Mager's name and wrote Sumter's name on it. As soon as I saw I was being scratched off the reform tickets I knew I could detect his ticket, and therefore looked for it and found it.

Question. Have you talked with your uncle since about it?

Answer. Yes, sir; and he laughed at their being so reckless as to do a thing of that sort. I reported that to the committee of elections at Columbia, but they have not paid any attention to it. Four members of the legislature have been returned as elected, when it was impossible that they should have been elected. The vote in our county is about 6,000, and the reform party got 2,500 votes. Then there was a split ticket—a sort of independent ticket—run, which was composed of one of the reform candidates, two of the republican candidates, and the rest were outsiders. This independent ticket, or split ticket, as it was called, was voted by republicans; a disaffected republican was at the head of the split ticket. The reform-party ticket got 2,500 votes, and every vote which the split ticket got was a loss to the republican ticket. There were only 6,000 votes in the county, and therefore the two republican candidates who were on the split ticket, and the reform candidate, who was on the split ticket, must necessarily have been elected, for they got the votes of their respective parties, and also the votes given for the split ticket. But the straight republican ticket was declared elected, and the people became dissatisfied, both republicans and democrats, and they do not now look upon those who claim to represent them in the legislature as their representatives.

By Mr. VAN TRUMP:

Question. Was that in the last election?

Answer. Yes, sir.

By Mr. STEVENSON:

Question. Who led the reform ticket?

Answer. I did.

Question. I mean the regular State ticket. You say you got the most scratched votes?

Answer. Yes, sir.

Question. And you say you got about 2,500 votes for your ticket; was that your vote on the reform ticket?

Answer. I think I got 2,380 votes, exclusive of these votes by scratched tickets.

Question. I see by the returns that Carpenter received 2,216 votes in your county.

Answer. Yes, sir; a great many white men did not vote for him.

Question. The county reform ticket ran ahead of the ticket for governor?

Answer. Yes, sir; I got more votes in that county than Carpenter did.

By Mr. VAN TRUMP:

Question. That is, more without the scratched votes?

Answer. Yes, sir.

By Mr. STEVENSON:

Question. What I want to get at was the strength of the reform ticket in that county.

Answer. I think it is between 2,200 and 2,300 votes.

Question. De Large got a heavy vote there?

Answer. Yes, sir. I was asked the effect produced upon our people; they simply do not look upon those who were returned as their representatives as really their representatives.

By Mr. POOL:

Question. How much is the colored majority in your county?

Answer. About 1,500.

Question. Do you know of any organization of Ku-Klux, or any secret political organization, in the State of South Carolina?

Answer. I do not; I am certain there is none existing in my county; I have never heard of any such thing.

Question. You say you heard nothing of your appeals which you sent to General Canby?

Answer. No, sir, I never heard from them again.

Question. Did you ever write to General Canby to know why he did not make any answer?

Answer. No, sir; I considered that if he disregarded one application, he would the second.

Question. Who sent those appeals to him?

Answer. The president of the court.

Question. You had to get the president of the court to send them?

Answer. Yes, sir.

Question. Are you sure he sent them?

Answer. I believe he sent them. You asked me if I ever heard from these appeals; I suppose you meant that in which I charged corruption in regard to the matter of costs. I heard from some, but from those in which I made complaints of that kind I never heard at all.

Question. Are you certain the officer sent them up?

Answer. I am not.

Question. Had you any suspicion at the time that he had not sent them up?

Answer. I had nothing to found such a suspicion on, but I would not have been surprised if I had heard that he did not.

Question. How many did you send?

Answer. I sent until I got tired of it.

Question. Did you not think it prudent to send to General Canby to find out about them?

Answer. I did not do it; I did not suppose it was of any use.

Question. How far was General Canby from there?

Answer. About a hundred miles.

Question. By rail?

Answer. Yes, sir.

Question. You might have gone down or sent a messenger in a few hours?

Answer. In a day.

Question. At a very little expense?

Answer. At considerable expense, from twenty to thirty dollars.

Question. That was comparatively a small expense?

Answer. In cases where I got a fee of only five or ten dollars that would not have been very profitable.

Question. You were not afraid to communicate with General Canby on that subject?

Answer. No, sir, nor to send an appeal.

Question. Did I understand you to say that the opposition to these military courts made the people opposed to civil courts?

Answer. I say the opposition which the people had to them still has its effect in a slight degree upon their minds, and that it will take some time to wear away. You would very frequently hear a man say, "It is no use to go to law;" and that saying first originated when the military courts came there.

Question. You have described a very bad state of things in your county, about as bad as well can be; yet you say there has been no organization of the Ku-Klux there?

Answer. No, sir.

Question. There have been no outrages committed upon individuals?

Answer. None.

Question. That state of things has not produced that effect upon the community?

Answer. Men fight there.

Question. I am speaking about crimes committed by disguised men.

Answer. Nothing of that kind.

Question. You say the negroes there are suspicious of the carpet-baggers?

Answer. I think so.

Question. Do the carpet-baggers have influence over them?

Answer. They exercise an influence over them against their real wish.

Question. Did you say your county tax was forty or fifty thousand dollars?

Answer. Yes, sir.

Question. For county purposes alone?

Answer. It does not embrace the State tax.

Question. The State tax is altogether different from that?

Answer. Yes, sir.

Question. You mean that amount for county purposes alone?

Answer. Yes, sir.

Question. What is the population of that county?

Answer. It has about 6,000 voters; I do not know exactly how many inhabitants there are there.

Question. Do I understand you to say that all corporation property in South Carolina is exempt from taxation?

Answer. No, sir, I did not say that. I stated that in reference to a great many of the bills which granted charters to corporations, a provision of the charter was that the property of the corporation should be exempt from taxation for a certain time.

Question. How many bills were there passed exempting the property of corporations from taxation?

Answer. I do not know how many.

Question. Were they for any other purposes than for charitable and religious purposes?

Answer. Yes, sir, for manufacturing purposes, banking purposes, railroad purposes, &c.

Question. Do you know any corporation the property of which was exempted from taxation?

Answer. The very one I spoke about—the Dorn Mining and Manufacturing Company.

Question. What was the amount of their property?

Answer. I believe between \$150,000 and \$200,000.

Question. Do you know of any man who asked the pardon of James Kerse?

Answer. I do not know; I suppose some of his friends did; I do not suppose the governor would pardon him without an application.

Question. Do I understand you to say that the bill which you undertook to assist your friend in getting through finally passed?

Answer. Yes, sir; my friend told me he paid to have it passed.

Question. Is it not about as bad to bribe a man as it is for a man to be bribed?

Answer. I think so.

Question. Then you would not approve of that act of your friend?

Answer. No, sir; he asked me to do it, but I declined to do it; I said I would not be caught in any such dirty business.

Question. He confessed that he bribed them?

Answer. I am satisfied he paid to have the bill carried through. His remark was, "I have done it by resorting to the means you would not resort to." He did not say in so many words that he had paid for it.

Question. He intended to convey that impression?

Answer. Yes, sir.

Question. You think you were legally elected, but defrauded out of your election?

Answer. I have no doubt of it, any more than I have that this pencil is in my hand.

Question. The legislature declined to seat you?

Answer. No, sir; the commissioners reported against me, and that some other one was elected. I sent a protest to the board of State canvassers; I did not go to the State legislature, and the board of canvassers did not take any notice of my protest. I asked a member of the board what action was taken, and he did not seem to know anything about it; I do not suppose it was even read.

Question. Could you not have contested it before the legislature?

Answer. I suppose I could have done so.

Question. Is not that the proper way to do it?

Answer. The law requires you to go before the State canvassers; I suppose I could have gone before the legislature.

By Mr. BLAIR:

Question. If you had money enough you could have got in?

Answer. No, sir, I do not think I could.

Question. They would not have let you in there on any terms?

Answer. No, sir, I do not think they would.

By Mr. POOL:

Question. The colored people could not help you in that thing?

Answer. They are more helpless than we are. I could apply to the governor of the

'State of South Carolina, and get favors that they who support the government could not get.

Question. By what means do you get those favors?

Answer. They desire to keep on good terms with the residents of the State. I never have received any such favors at their hands; I never have asked for them.

Question. You think you would receive them more readily than republicans?

Answer. More readily than colored men, or than white republicans of little or no influence.

Question. Would that statement apply to the other white democrats of the State as well as to yourself?

Answer. I think so. As I have been going about the public offices and departments in pursuit of my avocation, I have frequently had the remark made to me, "Mr. Aldrich, if I can do anything for you I will do it."

Question. Is that from a desire on the part of the government to conciliate the white democrats?

Answer. I suppose the officers desire to be on comfortable terms with their neighbors, and especially with men of influence.

By MR. STEVENSON:

Question. Is Mr. Bowen considered a carpet-bagger? You spoke of Mr. De Large, a negro, denouncing carpet-baggers. Is Bowen classed with the carpet-baggers?

Answer. Not strictly speaking; he had a residence in the State before the war, and I think he perhaps would belong to a different class.

Question. He has been South since 1850?

Answer. He had a residence in the State previous to the war; I do not think he would come under the head of "carpet-baggers."

Question. You say that the county of Barnwell is a planting county?

Answer. Yes, sir.

Question. Chiefly cotton?

Answer. About equally cotton and corn.

Question. Are the lands in that county divided into large plantations?

Answer. Generally.

Question. About what size?

Answer. From ten thousand acres to five or three hundred and fifty acres.

Question. Are there many plantations containing ten thousand acres each?

Answer. A great many.

Question. Are the lands chiefly held by the old white population?

Answer. Almost entirely.

Question. What part did the white population generally take in the war?

Answer. I think they supported the cause of the southern confederacy with all their strength; they were very earnest in the cause.

Question. And they are now democrats?

Answer. Generally, yes, sir.

Question. Almost universally?

Answer. Almost universally; at least they act with that party.

Question. What position had you in the war?

Answer. I entered the war as a private soldier, and was promoted from that position to be an assistant inspector general of a cavalry division.

Question. You were young when you went into the war?

Answer. I was between eighteen and nineteen.

Question. What is your age now?

Answer. I am twenty-seven.

WASHINGTON, D. C., June 26, 1871.

LANDON M. GENTRY sworn and examined.

By the CHAIRMAN:

Question. You live in Spartanburgh, South Carolina?

Answer. Yes, sir.

Question. What is your occupation?

Answer. I am now keeping a livery-stable and farming a little, but I have rented my farm.

Question. How long have you lived there?

Answer. Since the fall of 1859.

Question. How long have you been keeping a livery-stable?

Answer. About a year and a half.

Question. Have you any knowledge of any operations of what is usually termed the Ku-Klux-Klan in that county?

Answer. Not within my personal knowledge. I have heard of the organization, but never have seen it to know it.

Question. Have you any belief as to whether it exists in that county?

Answer. I cannot state as to that. I have heard that they had an organization, and again, from certain things I have heard, I have supposed it was a kind of sectional strife or animosity among the people in different neighborhoods.

Question. Living in that county and having heard these statements on both sides, what is your own belief as to the existence of the organization there?

Answer. Well, sir, I could hardly state my belief as to that. I am very well acquainted in the county; was sheriff four years and United States commissioner about three and a half. I have heard from men of integrity, as I took them to be, that there was such an organization, and from others of equal credibility that they did not believe there was any. Consequently I am at a loss what to believe.

Question. Have there been numerous cases of persons being whipped in the county by disguised men at night?

Answer. Yes, sir; I have heard of various outrages of that kind.

Question. Have you heard of a man named Jordan Blanton being whipped about the 10th of September last?

Answer. I do not think I have, by that name.

Question. Have you any recollection of him and his daughter being taken from their beds, carried away a mile, and whipped?

Answer. I have not; I do not remember the name.

Question. Have you heard of a man of the name of Gabriel Ostell being whipped?

Answer. I think I have; a colored man, I think he was.

Question. Have you heard of a man of the name of Clem. Bowden being whipped?

Answer. Yes, sir; a colored man.

Question. And Minerva Bowden?

Answer. I think so; his wife was whipped at the same time.

Question. Have you heard of the whipping of William Champion?

Answer. Yes, sir; a white man.

Question. What was the nature of the outrage on the three last-named persons?

Answer. I only know from hearsay that they were pretty severely whipped.

Question. By men in disguise, and at night?

Answer. Yes, sir.

Question. Was Champion a justice of the peace?

Answer. I think he was a trial justice.

Question. Where did he live?

Answer. In Limestone Township.

Question. How far from Spartanburgh?

Answer. About sixteen miles.

Question. What was he whipped for?

Answer. I do not know.

Question. Was he a man of respectable character?

Answer. I think not; he was a man of rather low repute. I heard it said that Governor Scott had appointed a man who was wholly incompetent and very distasteful to the community.

Question. Was that the reason why he was whipped?

Answer. I cannot say that.

Question. When did you hear that?

Answer. Directly after his appointment, which was some time previous to the whipping.

Question. Was there any other reason given for the whipping than that?

Answer. I heard another reason, but it was a flying report, and I cannot say whether I should believe it. I heard that he had said that the white people in that neighborhood might just as well come to social equality with the negro first as last, and invite them to eat at their tables and sleep in their beds; if they did not they would be made to do it by the bayonet.

Question. When was that?

Answer. Some little time before I heard of his being whipped.

Question. It was in October last that he was whipped?

Answer. Just before the general election.

Question. Was there a man named Daniel Lipscomb whipped at the same time?

Answer. Yes, sir; the boys Lipscomb and Bowden are both living in our town.

Question. Was the whipping very brutal?

Answer. I heard they were whipped severely; it came from Bowden himself.

Question. Did you hear of Rufus Irving being shot through the shoulder by men in disguise?

Answer. I do not remember.

Question. Were not Champion and Bowden both managers of elections?

Answer. I heard so.

Question. Did you hear of the other manager of election named Camp, being compelled to leave his home?

Answer. He is an uncle of mine by marriage; he did leave home; I have heard the neighbors say that the old gentleman left without any provocation; that he could have staid without molestation. He was a trial justice; I am not positive as to his being manager of election.

Question. Was he a democrat or a republican?

Answer. He had been a conservative up to a few months before that, when he joined the republican party, what is termed the League party there.

Question. Did he own property in the neighborhood?

Answer. Yes, sir.

Question. Did he abandon it?

Answer. He rented his place; he goes back and forth

Question. Where does he live now?

Answer. At Spartanburgh village.

Question. He had lived in the country before?

Answer. Yes, sir; about sixteen miles from the village.

Question. Did you hear of a man named C. Harry Price being whipped?

Answer. Yes, sir.

Question. By men in disguise?

Answer. Yes, sir.

Question. What office did he hold?

Answer. None, that I know of, except that he was deputy census-taker.

Question. Was he not a constable and deputy assessor?

Answer. He had been a constable, but I do not know that he was then.

Question. Was he a white man?

Answer. Yes, sir.

Question. And a republican?

Answer. I think so.

Question. Did you hear of a man named Hugh A. Glover being whipped?

Answer. Yes, sir; he was whipped at a corn-shucking at one of his neighbors—shot.

Question. At the shucking or on his way home?

Answer. At the shucking some parties took him away.

Question. Were they in disguise?

Answer. I did not understand whether they were or not.

Question. What reason was given for whipping him? Was there any quarrel at the shucking?

Answer. The reason I heard assigned was, he said he had made money enough, by acting as constable for his father, to buy himself plenty of weapons, and he intended to use them, or something of that kind.

Question. He had acted as constable?

Answer. For his father.

Question. Served warrants?

Answer. I suppose so.

Question. Was he also a republican?

Answer. So I heard.

Question. Did you hear of a man named Lowndes Surratt being whipped?

Answer. I know the boy; I do not think I heard of his being whipped.

Question. Did you hear of a man named Moses Eaves being whipped?

Answer. I have heard the name in the upper part of the country, adjoining North Carolina; it seems to me I heard something about his being whipped.

Question. For what?

Answer. I heard that he told some men previously that he had a little bull-dog, plenty of ammunition, and a double-barrel gun, and was ready for the Ku-Klux or anybody that wanted to molest him; that he would like to see them come.

Question. Was he a colored or white man?

Answer. I believe he was colored; I am not positive. I am not personally acquainted with him.

Question. Was he whipped by men in disguise?

Answer. I did not understand whether they were in disguise or not.

Question. Did you hear of an attack made on a Mrs. Linden?

Answer. I do not remember that I did.

Question. Of an attack made on Avery Bonner?

Answer. I do not think I did.

Question. On Jefferson Huskins and his wife?

Answer. There was some report about a colored man that belonged to Barney Huskey having got a notice.

Question. Did you hear of his being whipped?

Answer. I do not remember whether he was whipped or not.

Question. Did you hear of Israel Surratt being visited by the Ku-Klux?

Answer. A boy at Spartanburgh that belonged to an uncle of mine; I heard he left in consequence of it, but I have not heard that they visited him, and do not think they did. He had taken fright, and came to the village.

Question. He is in Spartanburgh now?

Answer. Yes, sir.

Question. Do you know the fact that he took his wife and six or seven children, and came to the town in consequence of a visit by men in disguise?

Answer. I do not; he came in consequence of fear of the Ku-Klux; so he stated.

Question. Did you hear of a man named Watkins, colored, being whipped?

Answer. Not that I remember.

Question. Of a man named George McLaughlin?

Answer. I did not.

Question. Of a man named Boon, whipped in Spartanburgh Township?

Answer. No, sir; I do not think there has been any one whipped in the township.

Question. Do you know a trial justice by the name of Nathaniel Johnson?

Answer. Yes, sir.

Question. What became of him?

Answer. He was killed, I understand, by three men.

Question. In disguise?

Answer. I understood not. Trial Justice Fleming went down to hold an inquest, and I believe he stated to me that the testimony elicited by Johnson's family was, that three men came, not in disguise, called for him, broke the door open, and that Johnson jumped out at the back door, when he was shot down.

Question. Was it at night?

Answer. I think it was.

Question. Was he a candidate for the legislature or for nomination?

Answer. I think he was.

Question. Was he a republican?

Answer. I think so.

Question. Do you know a man by the name of Martin Sheldon?

Answer. A colored man?

Question. I understand so.

Answer. I have heard of Sheldons in the extreme lower end of the county

Question. In Cross Anchor Township?

Answer. Yes, sir.

Question. Do you know a man named Martin Bobo?

Answer. No, sir.

Question. Do you know a man named Burt Jones in that township?

Answer. Yes, sir; a colored man.

Question. Was he ever visited by the Ku-Klux?

Answer. Not that I know of. I see him at the village occasionally.

Question. What has become of him?

Answer. I do not know; I suppose he is in Cross Anchor Township.

Question. Have you never heard of his being run away from there?

Answer. I have not. There was a little difficulty down in that township, and Burt came to Spartanburgh and got a warrant; but I think it was in consequence of some other difficulty; I did not understand that he was molested.

Question. Do you know a man named McKinney living near Spartanburgh?

Answer. I have heard of McKinney.

Question. Did you hear of the Ku-Klux shooting into his house?

Answer. Yes, sir; and that he shot one of the party.

Question. Returned the fire?

Answer. Yes, sir.

Question. What became of the wounded man?

Answer. I do not know.

Question. Do you know who he was?

Answer. No, sir; I have heard it said that it was a young man named Campbell, a shoemaker. He went off to Georgia some time after that.

Question. Are these all the cases you have heard of in Spartanburgh County of persons being injured by parties in disguise?

Answer. No, sir. Dr. J. Winn Smith was shot.

Question. Who is he?

Answer. A prominent man in our county, who has been a representative in the legislature, and a State senator, I think.

Question. When was he visited?

Answer. Some time last spring, about two months ago, I think.

Question. Was any reason given for shooting him?

Answer. I have heard that two of the parties went into the house after the doctor was shot, and told his wife that the doctor ought not to have fired on them; that they

had no intention of hurting him at all; that they had only come there to get the guns that had been deposited there to be put into the hands of the black people.

Question. Were the men disguised?

Answer. I believe they were; I am not positive.

Question. They came there in disguise to get arms deposited for the negroes?

Answer. I am not certain about the disguise; but they were strangers if they were not disguised. She did not know them.

Question. How had the arms come to be deposited with Dr. Smith?

Answer. I do not know that they were deposited with him.

Question. How many persons were at the doctor's house?

Answer. I do not know. The physician who attended him told me that there was a knock at the door, and the doctor went out and said, "Come on, boys; here is the old rascal," or something of that kind, and then stepped back and got a pair of pistols from the table. Then they retreated behind a hedge in the yard, and he walked out and commenced shooting at them over the hedge.

Question. Did you understand they were armed?

Answer. They were, for they shot him and wounded him severely in several places.

Question. And he shot defending himself?

Answer. He exhausted his pistols, I think, before they shot him. Some one came from behind the house—so I heard—and asked them why they shot the doctor, and they said he had shot at them, and they would not have fired but for that.

Question. Are these all the cases you have heard of occurring in consequence of men appearing in disguise?

Answer. There was a party in disguise came to Spartanburgh, one night, so I heard—the night before a prisoner was to be hung for killing a negro. They proceeded to the jail and called for the sheriff. He got up, looked through the window, and saw they were disguised. They wanted him to come out. He told them he would not. They assured him they would not hurt him. He told them he knew their business, and if they attempted to break in they would have to take the consequence. They then retired without doing anything.

Question. When was that?

Answer. Some time last spring; I think about the first of April last.

Question. Were any persons confined in the jail who were supposed to be the objects of their visit?

Answer. One man, named Mackabee, who had killed a negro employed by my brother-in-law.

By Mr. VAN TRUMP:

Question. Was he a white man?

Answer. Yes, sir.

Question. Had he been convicted?

Answer. Yes, sir, and was to be hanged the next morning; the gallows was ready.

By Mr. POOL:

Question. Did they tell the sheriff what they came for?

Answer. They did not, as I understood.

By the CHAIRMAN:

Question. Does that complete the number of offenses that you now recollect in Spartanburgh County?

Answer. No, sir. There was an old colored man killed on a plantation near Glen Spring, named Wallace Fowler. I was called by the sheriff to go down as jurymen.

Question. How late was that?

Answer. About two months ago.

Question. Was it on the 4th of May?

Answer. Somewhere about that time.

Question. How did it occur?

Answer. I do not know; I think the men who killed him were in disguise.

Question. Were there forty or fifty of them?

Answer. No, sir, I think not. I was appointed foreman of the jury of inquest. Some said they saw fifteen or twenty; I suppose there were more back. Some colored men thought there were more, and some less.

Question. Who owned the plantation?

Answer. P. J. Olin.

Question. How was the colored man killed?

Answer. Two or three men went to his house and knocked at the door. He got up and came out. One of them grabbed him by the collar and jerked him out, saying, "We have got you at last," put a pistol against his head, and shot him.

Question. What was the cause disclosed?

Answer. We could find none at all. We summoned all the colored men on the plan-

tation that were present that night, and the white people, too; but there was no cause assigned, save a little difficulty that he had had with some one on the same plantation about a watermelon patch; some tenants.

By Mr. VAN TRUMP:

Question. Tenants white or black?

Answer. I think some of them were white and some black. They got stealing the watermelons.

By the CHAIRMAN:

Question. Was there any proof that they were among the number that killed him?

Answer. We could get no evidence at all.

Question. Was there any evidence that the men who committed the murder were white or black?

Answer. They could not tell.

By Mr. POOL:

Question. When was the trouble about the watermelon patch?

Answer. It was nearly a year ago. The evidence of whites and blacks was that no one had anything against this old man—that he had not taken any part in politics, and, I believe, had not voted.

Question. Was he a colored man of good reputation?

Answer. Yes, sir.

Question. Living on the plantation of the Rev. Dr. Jones?

Answer. Yes, sir.

Question. How far is that from Spartanburgh?

Answer. About eight or ten miles.

Question. Did the evidence disclose that after shooting him they dragged him from the door?

Answer. No, sir, they left him lying there.

Question. Was any other indignity inflicted on the body?

Answer. I think not. It was reported that the others threw a torch and burned him, but we could see no signs of it and had no evidence.

Question. Didn't they threaten his wife that they would kill her if she made an alarm?

Answer. I did not so understand.

Question. Did you inquire?

Answer. No, sir; I had not heard and did not hear that.

By Mr. POLAND:

Question. Was she a witness?

Answer. She had gone, we did not get her.

By the CHAIRMAN:

Question. How old was the colored man?

Answer. About seventy.

Question. Do you remember the day he was killed?

Answer. No, sir.

Question. What day did you hold the inquest?

Answer. Some three or four days afterwards. He had been buried, and the sheriff ascertaining the fact that no inquest had been held, summoned a jury.

By Mr. VAN TRUMP:

Question. It was the duty of the nearest justice to be the presiding officer at the inquest?

Answer. Yes, sir, but that was neglected; so the sheriff sent for the coroner five miles above Spartanburgh, and summoned a jury from Spartanburgh with the exception of three or four.

By the CHAIRMAN:

Question. Was it not the fact that the man was killed on Thursday and his body lay there till Saturday and no jury could be got there in consequence of the terror in the neighborhood?

Answer. I think the time might be correct, but I did not hear of any fears about assembling a jury.

Question. Did not the same band that killed him go and whip three or four men in the same place?

Answer. No, sir; I only heard of one man who was taken out.

Question. And whipped?

Answer. No, not whipped; they took him out of his house and were going to throw a gown or something over his head, so he testified, when he slipped away from them and ran and they shot at him.

Question. Was he a colored man?

Answer. Yes, sir.

Question. What reason did they give?

Answer. None at all; he did not know any reason for what they were doing.

Question. Do you know John Genoble?

Answer. I do, very well.

Question. Did you ever hear of his being visited by the Ku-Klux?

Answer. I heard that he was.

Question. How far did he live from Spartanburgh?

Answer. About ten miles.

Question. A white man?

Answer. Yes, sir.

Question. A democrat or republican?

Answer. A republican, I think.

Question. Do you know anything about his being required to go to the court-house in Spartanburgh and make a statement?

Answer. I do not know that he was required to do it, but I have heard that he did make a statement.

Question. Were you in town on that day, when he made it?

Answer. I was; I was about twenty or thirty steps off, but did not know what he was doing; I heard afterward that he made a statement.

Question. Had you heard of it before?

Answer. I had not.

Question. You had no knowledge of it?

Answer. None at all.

Question. You did not hear the statement?

Answer. I did not, only heard of it.

Question. What was the tenor of it?

Answer. That he had been a republican, but now he renounced it, and expected to identify himself with the conservative party—something of that kind.

Question. Is that the practice in Spartanburgh, for persons who change their political creed to announce it from the court-house steps?

Answer. That is the first and last occasion I ever knew of such a thing.

Question. Is it not the belief that he was required to do it by the persons in disguise who visited him?

Answer. I have heard that they visited him, and that they did not—both ways. I asked the Reverend Doctor Beard, who was up in that neighborhood, if it was the fact, and he said he had heard so, and then again that it was not so, but he had not seen Genoble to ask him himself.

Question. Is that the account given in Spartanburgh for this one case? Is that the reason given for it, or is there any other reason?

Answer. I have heard that he said that was the reason; that they required him to make a public announcement.

By Mr. VAN TRUMP:

Question. Did he state that fact in the renunciation on the steps?

Answer. I think not; I did not hear that he did.

By Mr. POLAND:

Question. You understood that to be his story?

Answer. His story about the party visiting him? I never heard about his being visited till a little after his announcement; then I heard that some parties had visited him on a previous night, and he had promised to make the announcement.

By the CHAIRMAN:

Question. So far then as you know, all the parties you have named as having been visited by men in disguise have been republicans?

Answer. Well, I heard of a case in the upper part of the county where two persons were visited on the same night, one a republican and one a democrat.

Question. What are the names of the parties?

Answer. I do not remember, and I do not know the truth of it, but the cause of the visit was said to be abuse of their wives, or something of that sort.

Question. Is that the only case you have heard of a democrat being visited?

Answer. Mr. H. M. Turner, who was a republican a year or two ago, and who has since come out in the paper and denounced the party, and identified himself with the conservatives, was visited some three or four months ago, I understand. They first gave him notice that if he did not cease to abuse his wife they would visit him. A few nights after that they visited and whipped him, and told him if he abused her any more they would wear him out, or something of that kind.

Question. Is that the only case of a conservative you know of being visited by men in disguise?

Answer. I do not remember any other.

Question. Then having given this number of cases of which you have heard, I understand you to say you have no belief as to whether there is an organization of men who go about in disguise in Spartanburg County?

Answer. I do not; I have no knowledge.

Question. Have you no belief on the subject?

Answer. Well, it would be hard for me to make up an opinion as to that; I would not know that I would be correct.

Question. You say you have no belief?

Answer. I have believed that there was, and then from other circumstances I believed it was confined to prejudices and animosities arising between relatives or neighbors. I have about as much evidence one way as the other, and I should hate to state whether it was one way or the other.

Question. What name have you heard given to the organization?

Answer. Ku-Klux.

Question. Any other name?

Answer. I never heard of any other till I came here, when I heard of the White Brotherhood in North Carolina.

Question. Never heard of the Invisible Empire?

Answer. No, sir.

Question. Nor Constitutional Union Guards?

Answer. No, sir.

Question. How far is the town of Union from Spartanburg?

Answer. Twenty-eight miles.

Question. Is there a railroad between the two places?

Answer. Yes, sir.

Question. Did you hear of a raid made upon Union by a large body of men?

Answer. I did.

Question. Were you at home at the time?

Answer. I was.

Question. When was it?

Answer. I do not remember exactly; some time in the spring; early, I think.

Question. About the 10th of February?

Answer. About that time, I think.

Question. How many horses were out of your livery stable that night?

Answer. None that I know of.

Question. Have you looked to see?

Answer. I left there in the evening some time after 7 or 8 o'clock as is my custom. There was no horse hired out to my knowledge. I was back early the next morning. I have a man staying there at night. I have no idea that my horses were taken, because if they had been ridden twenty-eight miles and back they would have shown signs of it.

Question. Was your attention directed to it at the time?

Answer. Not exactly at that time. A lady who was visiting a friend in town reported that some of my horses had been out that night to Union, and she did not believe I knew anything about it.

Question. How long after the affair did you hear that?

Answer. I think only the next day.

Question. If your horses were used had you any knowledge of it?

Answer. I have not; but I think I could safely say they were not, because I should have found it out.

Question. Could you give from your books the names of persons who had your horses on the 10th or 11th of February last?

Answer. I might do it when I go home.

Question. Do you keep a book which shows who had your horses?

Answer. Yes, sir; my man keeps it; anybody who takes a horse has his name put down.

By Mr. VAN TRUMP:

Question. You say you were there late in the evening and back early the next morning, and that your horses could not have been used without showing signs of it?

Answer. I think I could be positive of that.

Question. Were you ever charged with having hired out horses that night to men for that purpose?

Answer. No, sir; only by this lady's report; the friend with whom she was visiting told my wife about it.

Question. That was soon after the raid occurred?

Answer. I think it was the next day after I got the news.

By Mr. BLAIR:

Question. You left somebody in charge of the stable?

Answer. Yes, sir; in charge all the time.

Question. Did he inform you that anybody had taken your horses out?

Answer. No, sir; my instructions to him some time previous to that, a month probably, were not to hire horses to a man at night at all under any circumstances, unless to some one he knew, and some physicians. I had had, on one or two occasions, my buggies broken and my horses tired out by some men going out about four miles to see some lewd women, and so I gave these instructions.

By Mr. VAN TRUMP:

Question. Did you ever hear the charge, or the report, made that there was not a horse in that livery-stable that night?

Answer. I never did.

By Mr. BLAIR:

Question. You left the stable that night, you say, at 8 o'clock?

Answer. That is my usual time; sometimes a little later.

By the CHAIRMAN:

Question. Have you any definite recollection as to that particular evening?

Answer. I have not.

Question. You speak of your usual practice?

Answer. Yes, sir. I could not say what time I left that night. I was at home; I had not been away for some considerable time. My wife was helpless; could not get from the bed to the fireplace; and about the only place I went to was the stable and back home.

Question. Do you know a man named Jackson, of Fingerville?

Answer. I do not.

Question. Ever hear of his being whipped?

Answer. I do not think I have.

Question. In consequence of these outrages that have taken place to which you have referred, what has been the state of feeling among the colored people as to security?

Answer. I do not know that I could tell you. Some of them seem to be very fearful, but whether they are generally so or not I could not say. They do not seem to be uneasy about Spartanburgh; they go out some three or four miles to the woods.

Question. How is it in the country?

Answer. I have heard they were a little fearful over in Limestone Township, and that they are not seen out at night; they stay in. This is only hearsay.

By Mr. BLAIR:

Question. Were the colored people in your county armed or have they had any armed organization among them?

Answer. I understood so; that about ten boxes of guns were sent to Spartanburgh and guns were given out. I had been called upon by the deputy marshal, or not so much by him as by the acting marshal of Charleston, to assist him in making his returns, and the morning I went to his office to pay a revenue tax for a gentleman I saw the boxes open and some of the guns standing in one corner—two boxes empty, or one or two guns lying in them. I asked him what the meaning was, and told him I was afraid that was the cause of our trouble in the country. He said they made a raid on him and would have the guns.

Question. Who did?

Answer. I asked him if it was the negroes and he did not say. He said they, and I took it from what he said it was the negro people that got them.

Question. Were the guns sent there for the colored people?

Answer. I understood so; I do not know.

Question. Didn't they have militia companies of negroes regularly armed in your county?

Answer. Not at our village. I understand the trouble in Limestone Township originated in a company having been made up of negroes in that place.

Question. How did the trouble grow out of that?

Answer. I understood that the negroes said that they intended to defend themselves; that they were the stronger party and intended to assume that position. There were various reports about that.

Question. Don't you know the fact to be that these arms were sent to the negroes not only in Spartanburgh County, but throughout the State by the governor of the State?

Answer. I do not know the fact; I heard so. I understood there was a company of white men made up in Spartanburgh, whose services were tendered to Governor Scott for the preservation of the peace of the country, but declined, and that he had accepted a company of colored men and these guns were sent there for them.

Question. Was there not an arming of the colored men at Walnut Grove?

Answer. Not that I know of. I heard many rumors, but I do not remember to have heard that.

Question. That is an election precinct?

Answer. Yes, sir; they were not armed the day of the general election in October when I was there; if they had been I would have seen them.

Question. Was the fact that these arms had been brought to the county for the negroes generally known throughout the country?

Answer. That was generally understood.

Question. The fact that they had been thus armed, and that a company of white men had been organized, and arms had been refused them, was not that known?

Answer. It was talked of on the street. I did not know anything about their organization till this was talked of.

Question. Was that a cause of imitation?

Answer. Yes, sir; I think it had created some excitement.

Question. The people were apprehensive of violence from the negroes who were thus armed?

Answer. Yes, sir; I think some people were afraid of violence.

Question. Was there not difficulty at the old Cowpens?

Answer. Yes, sir; that was about the first irritation that I heard of in the country—the burning of a dwelling that had been purchased by some orphan girls at a sale of their father's estate.

By Mr. POOL:

Question. When was that?

Answer. I think it was in the winter of 1869. It was the beginning of the little troubles in that country.

By Mr. BLAIR:

Question. You say some orphan girls had bought the building?

Answer. Yes, sir; the brother of the girls, Andrew McKelvey, had given A. P. Turner leave to hold his Union League meetings in the house. They continued to meet there till spring, when the girls went down there to work. But it was unpleasant for them to work among the crowd of all sorts of people that assembled there, and they asked their brother to get Turner to move to some other place. A few nights after the League abandoned the house, it was set on fire and burned. A mule track was seen around the premises with a half-shoe on the left foot. They tracked that up to another place where there had been some other fires and to Captain Ben. Cash's. It was found that Turner was on the mule. Finding himself suspected he went to Cash and begged him not to say that he was at his house the night before. He was prosecuted for burning the house; the trial is yet pending; it has been removed from Spartanburgh to Laurens County, and has been put off from time to time since. Directly after that he took a commission from A. S. Wallace, collector of the third district, to seize stills. The parties there said he knew where all the illicit distillers were in operation. He went and seized a couple and carried them off. They demanded to know his authority and he would not show it. The next day, the parties, believing he had no authority, went down to his house and inquired for him. His nephew told them he was not at home. They saw the stills. They went and got McKelvey to go with them about the matter. Mrs. Turner told him that Mr. Turner was not at home. McKelvey said he was sorry, because if Turner had authority for taking the stills that would end the matter. He went back and told his party that Turner was not there. They said they must have the stills anyhow. They went down and saw Turner at the window. He commenced firing at them and ordered them to halt. They returned the fire, and finally he left the house. They took the stills away. After that Turner's carriage-house was burned. It got to be a neighborhood quarrel between the whisky ring and the other neighbors.

Question. The league ring?

Answer. They were mixed up; a good many leaguers were in the whisky ring and they were fighting each other.

By Mr. STEVENSON:

Question. Whisky was the dividing line?

Answer. Yes, sir. These people could not raise cotton; they thought they ought to defend their rights, and that that was a right given to them by their forefathers that nobody should interfere with.

Question. What right?

Answer. The right to distil their own grain. I know I had a great deal of contention with them about it; I had pretty hard work to satisfy them that the Government had the right to require them to obey the law.

By Mr. BLAIR:

Question. This Turner was deputy marshal?

Answer. No, sir; he was employed or got commissioned by Mr. Wallace to suppress distilleries.

Question. You say he was president of the league?

Answer. Yes, sir.

Question. And he rode the mule with the half-shoe on, and burned down these several houses?

Answer. That is what they think; he has not been tried. He has been convicted of perjury in a case since that.

Question. He has not been convicted of arson?

Answer. No, sir.

By Mr. STEVENSON:

Question. Is he now undergoing sentence?

Answer. No, sir; after he was sentenced the judge signed a paper suspending his sentence in some way.

By Mr. BLAIR:

Question. This A. S. Wallace is the present member of Congress from this district?

Answer. Yes, sir.

Question. He was formerly in the legislature of South Carolina?

Answer. Yes, sir.

Question. You say you consider the affair at the Cowpens as the beginning of all the trouble in your county?

Answer. In that portion of it. We have had a good deal of trouble in that end of the county. Robert Wallace, acting collector, and Mr. Poinier, United States commissioner, came up in company with some ten United States soldiers under Captain Somerville, and made some arrests at the Cowpens battle-grounds, shot one young man, and captured his horse. That created some little feeling in the country.

Question. Was that subsequent to the burning of the house?

Answer. That was afterward. Turner was with them. He was accused by these whisky violators of being a traitor to the party. They said he had been with them, a good social fellow, bought all the whisky and carried it off, and then turned traitor to get \$300 reward.

Question. They charged that he had participated with them in the trade?

Answer. Yes, sir; in the trade and making whisky.

Question. What is the primary cause of all these difficulties in your county?

Answer. If I were to sum it up, I think it is the appointment of inefficient and bad men to office. I acted as special deputy marshal for three and a half years. I had to arrest these parties at various times and carry them before Poinier's court, and I never had any trouble with them. As soon as these other parties came in the trouble began. I think it was altogether owing to their abrupt way, or on account of their complicity with them, having been partners with them before. I went to Columbia and proposed to the acting marshal of the State that, if he would come to Spartanburgh, I would furnish a horse and go with him alone and arrest every man that his deputy had a warrant against that we could find, and capture every still that we could find. I was not deputy marshal then.

By Mr. COBURN:

Question. When did you act as deputy?

Answer. I went out some time in the fall of 1869, I think. I have the dates at home.

By Mr. VAN TRUMP:

Question. Coming back to the case of Genoble, you say you were present at the renunciation?

Answer. I was, but did not hear a word he said.

Question. And you had not heard a word about his intended renunciation of republicanism before?

Answer. No, sir.

Question. If it had been generally understood that it was to take place, would you probably have known it?

Answer. If it had been much talked of I would, for I have a good deal of business with the people.

Question. Do you know whether it is the fact or not that the sales by the sheriff were stopped for the express purpose of having this man make a speech?

Answer. I did not hear anything of it; I did not see any interruption of the sale.

Question. Do you know Mr. Bobo, a lawyer in the place.

Answer. Yes, sir.

Question. Is he a leading lawyer and a man of character and respectability?

Answer. Yes, sir.

Question. Did you ever hear anything about his going to the sheriff and asking him to suspend the sales in order to let Genoble make a speech?

Answer. I never heard it till he told me so the other day.

CONDITION OF AFFAIRS IN THE SOUTHERN STATES.

Question. He denies the fact?

Answer. He denies the fact, and says he was not present

By Mr. BLAIR :

Question. He told you here that that had been alleged, and it was untrue?

Answer. Yes, sir. Mr. Bobo told me that he would have to return home. He is connected with the college; the commencement is just at hand; there are one hundred and fifty students, many of whom are graduating, and it was positively necessary he should be at home.

Mr. VAN TRUMP. He has returned with the understanding that he is subject to be recalled at any time.

By the CHAIRMAN :

Question. Have any persons been arrested and convicted for any of these offenses to which your attention has been called in Spartanburgh County?

Answer. None that I have heard of. Yes, sir; it seems to me I have heard about some boys who have been indicted; I do not know whether it was for Ku-Kluxing or not. They were at Spartanburgh, but no true bill was found against them.

Question. Did they commit the offense in disguise?

Answer. I could not say whether it was for that offense or something else.

Question. In the cases in which violence was committed by persons in disguise, have there been any arrests and convictions?

Answer. I think not; if there has been I have not heard of it.

Question. Have you ever counted up the number of offenses of this kind committed in your county?

Answer. I cannot say I have. Since I have been here I have been trying to think of the number that have been killed and whipped.

Question. How many have been killed that you recollect?

Answer. There have been two negroes killed and one wounded with a gun-shot.

Question. Within what period?

Answer. Within twelve months. Nathaniel Johnson, trial justice, and Wallace Fowler were the two that were killed. The boy, who was wounded in the head slightly, used to belong to Mr. Lancaster; he has changed his name.

Question. You named one that died afterward; do you include him—a man on Dr. Jones's plantation?

Answer. No; that was Wallace Fowler; he was killed instantly.

Question. How many have been whipped, or otherwise maltreated?

Answer. It is pretty hard for me to reckon the number up. I should not think more than fifteen or twenty, though, altogether.

Question. Within the same period?

Answer. Within twelve months; it may not be so many; I can only think of nine now.

Question. Have there been cases of ill-treatment in other forms than whipping?

Answer. None that I know of.

By Mr. POOL :

Question. Do you hear of any general parading of these disguised men about the county?

Answer. No general parading; I have heard of their just dashing in at night.

Question. I mean frequent parades?

Answer. Not of late; I have not heard of them now for some weeks.

Question. Have you heard of their being out displaying their disguise and visiting houses where they committed no outrages, frequently in the last five months?

Answer. Not frequently; I have heard of their calling on colored people and just telling them they were all right, and they had nothing against them; and probably calling at some white men's houses and just telling them to go back to bed.

Question. Calling them out of their beds?

Answer. Yes, sir; calling them up.

Question. Were the persons thus visited republicans?

Answer. I cannot say; I do not know whether they are or not.

Question. Are you a democrat yourself?

Answer. A conservative I claim to be.

Question. Within what time has the bulk of these transactions you have been detailing taken place?

Answer. I think within twelve months.

Question. Have most of them occurred within the last five months?

Answer. I think they have; no, sir, within the last eight months. The first of them I heard of was just before the election in Limestone Township in October; one or two days before, I think.

Question. The rest of them have occurred since that election?

Answer. Yes, sir. After the outrages were committed on Champion, Bowden, and Linder, two men came there—two of Governor Scott's constables—and got some warrants issued, I believe, by Justices Poinier and Fleming. They came to me to get a double buggy and two horses. I told them I had but one mule. They wanted me to hire another. I did not know where to get one, and told them to get one if they could. The second day Poinier came to me and said he was sorry that a brother-in-law of mine was implicated in the matter. I told him he must be mistaken. He showed me the names that were given. Then I begged him not to take my buggy and mule, as I did not want to be mixed up in any kind of family quarrels by their going to my father-in-law's. He said, very well, he appreciated that, and he would get Dr. Cummins's buggy.

Question. When was this?

Answer. Two days before the election. These men went and made the arrests. There was a crowd of negroes gathered at my uncle Camp's, who was trial justice. They took these negroes, went and arrested a man named McArthur, and brought him back to Mr. Camp's. They were all tight, I suspect. Then they turned the prisoner over to these negroes, who were incensed by their friends and relatives having been whipped, and told them to do as they pleased with him. Poinier and Fleming both deny that they told them so.

Question. Is that what led to the shooting of Dr. Smith?

Answer. No, sir; I understood the doctor thought it was rather a personal thing, done by his tenants. First he thought it was the Ku-Klux, but I understood from the doctor who attended him during his illness, that he afterward thought it was probably some of his tenants.

Question. You say Bowden was very severely whipped?

Answer. I understand Bowden, Champion, and Linder were all pretty severely whipped.

Question. Can you describe the whipping?

Answer. I cannot; I did not see their backs.

Question. What reason does your uncle give for leaving his home and going to Spartanburgh?

Answer. He was afraid to stay in the neighborhood; the people were very much incensed about his having been a State officer and taking the oath to carry out the laws, and then for having allowed this prisoner to be turned over to the thirteen or fifteen negroes who made him walk till he fainted. One tale I heard was that they said, "Keep him on his feet till daylight;" another was, "Do as you please with him." The officers went in the house and went to bed, and but for the intervention, as I understand, of an old colored man, who was acquainted with McArthur, they would have killed him. This old negro, I understand, came up with a club and told them he knew McArthur was not in the Ku-Klux Klan that whipped their friends, and they had gone far enough. McArthur says this old man probably saved his life.

Question. Have you heard of any other person coming into Spartanburgh for fear of remaining at home?

Answer. Mr. Turner came to town for fear about his affairs.

Question. How many negroes?

Answer. I do not know how many—Surratt, Linder, and Bowden, and their families, I think. I see them every day.

Question. They came there because they think they are not safe where they lived?

Answer. Yes, sir.

Question. You have no outrages in Spartanburgh?

Answer. With the exception of this negro that was attacked—McKinney, I think they call him—I know of none. I never heard McKinney say whether they were disguised or not. It was said there was blood seen in his yard, and it was supposed he wounded one of them.

Question. You said something about the inquest being delayed when it ought to have been undertaken by the nearest justice; who was the nearest justice?

Answer. I do not know whether Wofford was the nearest justice or not.

Question. Was it alleged that the neighbors were afraid to hold it?

Answer. I did not understand it so; I did not hear anything of it.

By the CHAIRMAN:

Question. How happened it that you were taken from Spartanburgh out ten miles to hold an inquest?

Answer. The sheriff thought he would not be able to find jurors enough in the neighborhood, so he took a part from Spartanburgh and a few from the immediate neighborhood of the occurrence. I tried to get off. I was busy and did not want to go.

By Mr. POOL:

Question. When you have heard of these raids have your horses ever been taken out of your stable at night?

Answer. Not to my knowledge. If they were, it was against my orders. I have had my horses abused and buggies broken by men going out at night and got tired of it, and I did not want the horses hired to anybody but the physician.

Question. How long after Genoble was visited did he recant?

Answer. I cannot say. I never heard of his being visited till I heard of his making the statement.

Question. How long was it stated to be?

Answer. I do not know that I heard what time they visited him.

Question. You spoke of the governor having furnished arms to the negroes?

Answer. That is, I suppose so; I do not know the fact.

Question. Was it to a company of militia?

Answer. That is what I understood—that there was a company of colored militia at Spartanburgh to whom these muskets were sent.

Question. For the State militia?

Answer. Yes, sir.

Question. Had there been outrages and disturbances before that?

Answer. Yes, sir, I think seven of these outrages had been committed before.

Question. Was that company raised for the purpose of preserving the peace; was that alleged?

Answer. I cannot say; I do not know what gave rise to the raising of either one of the companies, white or colored.

Question. Do you know that the governor gave as a reason for not accepting the white company that he believed it to be composed of Ku-Klux, and it would not therefore answer the purpose?

Answer. I do not know that I heard of his assigning any reason.

Question. Did you hear of his assigning such a reason?

Answer. I did not.

Question. Are the white people of your region almost universally democrats?

Answer. No, sir, the republicans claim, some of them, seven hundred, and others four hundred and fifty, in the county.

Question. White republicans?

Answer. White republicans; when they were in the convention with colored folks they wanted to get two white republican candidates. Dr. Bryant and Mr. Turner had been our representatives as democrats. Their names were prominently before the democratic committee of ninety, selected from every section of the county to nominate candidates for State officers. They both made speeches before the nominating committee in the conservative convention. They failed to get the nomination; one of them came within five or six votes. They then turned republican and got the nomination from that party but were defeated. Turner was asked where he expected to get his votes. He said they had seven hundred republican leaguers in the county and he would get them to a man, and then there were fourteen hundred colored voters and he would get all of them, and these, with what conservative friends he could get, he thought would elect him.

By Mr. BLAIR:

Question. Did he get that many?

Answer. Not near that number; the colored people were not willing to trust men who had so recently come over to their party, simply to get office, as they thought, and they did not vote for them.

By Mr. POOL:

Question. How many white republicans do you think there are in the county?

Answer. Four or five hundred.

Question. How many democratic voters?

Answer. In all, colored and white, about thirty-five or thirty-six hundred; of these twenty-three or twenty-four hundred would be white democrats. I believe two-thirds or three-fourths of the whites are conservative; there may be one-fourth of them republicans.

Question. You think the arming of the negroes was one cause of the disturbances?

Answer. Yes, sir; I think the information the white people had that the negroes were going to be or probably were armed created a great sensation.

Question. Do you mean to express it as your opinion that the negroes have been taken out and whipped because the governor had armed them?

Answer. No, sir; it never occurred to me that that was the cause of it.

Question. Did you think it calculated to preserve the peace to take them out and commit outrages upon them, or would you suppose it calculated to provoke them?

Answer. I think it was calculated to injure the peace. I should not think that outrages of that kind would be an advantage to the country.

Question. Would it not be calculated to provoke the negroes to use the arms?

Answer. Yes, sir; and provoke white people too; and I know it did cause a good

many of our white people to deplore the state of things. If we get mob law instituted in the community, there is no safety for person or property.

Question. Have you ever heard it reported that parties came from North Carolina and took part in the outrages?

Answer. I have heard that a good many did cross the river.

Question. From what counties in North Carolina?

Answer. From Cleveland, and I think some from Rutherford County; it was supposed so.

Question. In disguise?

Answer. I heard they came over in disguise.

Question. On more occasions than one?

Answer. I heard they had been over twice.

Question. Have you heard of disguised men from Spartanburgh going over into North Carolina and committing outrages there?

Answer. I have not.

Question. Do you know of any man in the county of Spartanburgh who has been on any of these raids?

Answer. I do not; I have not the slightest idea of a single man, white or black.

Question. Then they have managed to keep their identity a very profound secret.

Answer. So far as comes within my knowledge they have.

Question. Have you seen any one who knew any one of these parties?

Answer. I have not; or if I have I do not know it.

Question. How can you account for the preservation of such profound secrecy except by supposing that there is a very compact and well-arranged organization?

Answer. I am not able to state anything about it because I do not know. I think it is a remarkable thing that these depredations should be committed and nobody be found out. I have not heard of one man in our county being apprehended.

Question. You would not suppose they were committed by parties from North Carolina?

Answer. I should not think so; they must have some accomplices in the country where they operate, I should suppose—reasonably so.

Question. How do you account for the fact that they are always, except in the one instance you have stated, directed against members of the republican party?

Answer. Well, sir, I could not account for it. There were two instances—H. M. Turner, and a man of bad character, whose name I do not remember.

Question. Turner, who was told he must not abuse his wife, had recently come over to the democrats?

Answer. No, sir, not recently; in 1868, I think, he identified himself with the conservative party.

Question. Does not the fact that none but republicans are the subjects of these outrages impress your mind with the conviction that there is an organization for some distinct object?

Answer. I have thought so at times, and then again I have thought from the circumstances that it was just as likely done by the republican party as the other, from the fact that they broke up the ballot-box at my uncle's, which was a strong conservative box. Why these parties should be whipped just a day or so before the election, and then that box should be thrown out, was a thing I could not exactly understand. I have had various opinions. I have thought it probably was done by some thoughtless, reckless beings, and then I could not reconcile that exactly, that they should go and whip their friends so unmercifully.

Question. How did that box come to be broken up?

Answer. Poinier declared it should not be opened that day.

Question. Why?

Answer. He was United States commissioner and trial justice and president of the board of canvassers, with power to fix the places where the election should be held. At one place where I was, one of the managers stood at the door outside and would let the voters go in. It was in a close room and the curtains were pulled down.

Question. That outrage which was committed just before the election is the one that you suspect might have been done by the republicans?

Answer. Yes, sir. And then again, this old man Fowler, who was killed, had had nothing to do with politics; had not said anything as far as we could learn.

Question. That was after the election?

Answer. Yes, sir. And whether he was a republican or not I do not know. I suppose so, however, but why he should be attacked, and by whom, is a thing we could not know.

Question. Is the general result of all this a state of intimidation and fear among the colored people of the county?

Answer. I think it creates some intimidation.

Question. On the part of the colored men principally?

Answer. The white men, too, some of them; at least they say so.

Question. You mean white republicans?

Answer. White republicans. They say they have been scared and feel uneasy. At the same time Mr. Fleming, who is county auditor, and who is about as odious as anybody, assumed the right in the board of commissioners of equalization of taxes—composed of the county treasurer, auditor, and three commissioners—of collecting the taxes on personal property himself, in 1868, and turning it over to the treasury. He is a republican, is very abrupt, says he is a republican for money, and does not care a curse what becomes of the negro or his friends.

Question. He seems to feel safe?

Answer. He seems to feel safe. I heard him say he had run one night when the men came to the jail; but then I have seen him pass my place to his farm where he raises tobacco.

By Mr. STEVENSON:

Question. He never has been molested?

Answer. Never, I think.

By Mr. POOL:

Question. Is there any state of terrorism or intimidation pervading the democrats in consequence of Ku-Kluxism?

Answer. I have not heard of any: I have not heard of any man, republican or democrat, who is much respected, being at all uneasy, nor of a good colored man who attends to his own business, not stealing or talking politics. I have some colored men working with me who say they are not afraid of the Ku-Klux.

Question. Those who are not accused of stealing, and don't talk politics, white or colored, don't feel afraid?

Answer. They are not afraid.

Question. But those who talk politics and are accused of theft—

Answer. I do not know as to their talking politics, but if they were to make threats, and say that the races could not live together, that the negro was the strongest, meaning that the whites would have to give way, or if they were to say that the time had about come, and they intended to kill the white conservatives—except the women—the boy who talks in that way would naturally have some fear about the Ku-Klux.

Question. Do you believe these outrages upon colored people are likely to keep off such a state of things, or precipitate it?

Answer. I cannot say.

Question. Wouldn't it be likely to bring about a collision?

Answer. I would not be willing to state.

Question. Either one way or the other?

Answer. One way or the other.

Question. Have the men of wealth and influence of your county ever held a public demonstration against these things?

Answer. Yes, sir; they held one at Limestone; Colonel Cannon and several others went there and made speeches.

Question. What did the meeting do?

Answer. I do not know; I was not there.

Question. Don't you know the purport of the resolutions passed at the meeting?

Answer. I do not. I heard they passed resolutions, but never heard what they were. I did not think it would do much good. Colonel Cannon came back, and said he knew that everything would be quieted down; that the people had come out and said this thing should stop.

Question. Did it?

Answer. I think it did in a measure; I heard some little maneuvering of Ku-Klux after that.

Question. Was that in a single township?

Answer. Yes, sir, Limestone.

By Mr. STEVENSON:

Question. When was that?

Answer. Early in the spring, after the legislature adjourned.

By Mr. BECK:

Question. Have you heard of any public demonstration or meeting of the republicans, white or black, expressing disapproval of the sort of talk you have indicated—some foolish negroes making threats of exterminating the whites, all except the pretty young girls?

Answer. No, sir; I do not think I have.

Question. Or any discouragement of it in any way?

Answer. I have not.

By Mr. POOL:

Question. In your judgment, would not the actual whipping and killing of men more properly call for a public demonstration than the mere talk about doing certain things?

Answer. Well, I should think it would.

By Mr. STEVENSON:

Question. Have you any idea that the white republicans, or the republicans generally of the county, favor any such sentiments as those expressed about killing all the whites?

Answer. I do not think the majority do; there are some of them, I know, are very bad fellows.

Question. There is no such general sentiment?

Answer. No such general sentiment. We have republicans in our county who are as honorable as anybody. We have men from Pennsylvania who declare their sentiments as republicans, and are received socially and heartily.

Question. You say there are seven hundred white republicans, as they claim, in your county, and the democrats concede four hundred?

Answer. I will say four hundred and fifty.

Question. That, I infer, must include a large body of your old citizens?

Answer. Yes, sir; a good many of them. Very few of these republicans have any fear at all of the Ku-Klux. There are a few bad characters that steal cotton and commit depredations; they have got some kind of notice about it, that they had better leave, and they seem to have some fear about it.

Question. They could tell better themselves how they feel than you—the republicans, I mean?

Answer. Oh, yes, sir; but I have heard republicans say so. My father is a republican, and I believe as strong a one as any in the county. He was a Union man all through the war, and opposed the secession of the State.

Question. Dr. Winn Smith seemed to have had some apprehension of an attack?

Answer. I cannot say anything as to that.

Question. He acted as though he did?

Answer. He did, by following the fellows out and shooting at them.

Question. He supposed they had come there to attack him, did he not?

Answer. I should say so; he followed them out of doors and shot at them.

Question. How old was he?

Answer. I think sixty or seventy.

Question. When was Fowler killed?

Answer. I think about the early part of May last.

Question. You say you think one cause of this Ku-Klux trouble is incompetent officers?

Answer. Yes, sir; bad officers.

Question. Your county officers are democrats, are they not, those that are elected?

Answer. Yes, sir.

Question. When were those incompetent officers you speak of appointed?

Answer. I do not remember the time.

Question. Were they not generally appointed in 1868, after the State was organized under the new constitution?

Answer. In 1868, or '69; I cannot say.

Question. The Governor appointed the officers at once, did he not?

Answer. I cannot say that he did; there was a kind of an election for magistrates, and there was an appointment.

Question. He appointed the trial justices shortly after he came in, did he not?

Answer. Yes, sir.

Question. In the summer of 1868?

Answer. In 1868, or '69.

Question. Did he leave you without any justices or magistrates for a year?

Answer. I do not know how long.

Question. It was either in 1868 or '69 that he appointed these officers?

Answer. Yes, sir; I think he makes the appointment of assessors, treasurers, and collectors.

Question. All that he did appoint were appointed in 1868 or '69?

Answer. Yes, sir.

Question. Now, when did you first hear of the Ku-Klux operations in that county?

Answer. I think the first I ever heard was upon Champion, Bowden, and Linder.

Question. When was that?

Answer. Just before the general election, about the 1st of October, 1870.

Question. Had you not heard talk about Ku-Klux in 1868, before the presidential election?

Answer. I had heard of Ku-Klux in Tennessee.

Question. I mean in your county?

Answer. I do not remember; there has been talk about it for some time, but I do not remember any talk about its being in that county till about this time in 1870.

Question. You say you have doubts as to whether it is a general and permanent organization or a local and special one?

Answer. I have sometimes thought both ways.

Question. You do not doubt that bands are organized, at least for one operation, and that they commit outrages?

Answer. I do not.

Question. You feel clear as to that?

Answer. Yes, sir; from the fact that men have seen them, and depredations have been committed.

Question. In different parts of the country?

Answer. Yes, sir.

Question. Have you not heard of them in adjoining counties?

Answer. In Union County.

Question. And in adjoining counties in North Carolina?

Answer. Yes, sir; in Cleveland County, and I have heard of some crossing over, supposed to come from Rutherford County; but I do not know that I heard of any bands.

Question. Before you heard of them in North Carolina you heard of them in Tennessee?

Answer. Yes, sir; in the papers.

Question. Taking all these circumstances together, what is your own candid impression as to whether there is a general and permanent organization extending to your county, or whether it is simply spasmodic in different neighborhoods for a night?

Answer. That is the very question. I say I am not prepared to give an opinion either way.

Question. Still at a loss?

Answer. Still at a loss.

Question. I call your attention to all these circumstances—not what you know, but what you have heard?

Answer. I have tried to think on the subject; in one case it would appear that there was an organization, and in another that it was personal strife.

Question. Might not the special cases, showing elements of spite, be cases where this organization existed, and was used for those special purposes?

Answer. I think they might.

Question. I take it for granted you are unwilling to suppose that such an organization should exist permanently in your county?

Answer. I am unwilling it should, and if I knew it did I would not hesitate to say so.

Question. Still you would rather not?

Answer. Rather not have it so.

Question. Rather not believe it?

Answer. Because I have a wife and children, and some little property.

Question. It reflects, too, on the character of the community to have it supposed that such an organization exists?

Answer. Yes, sir; I think it would.

Question. Do you think people who will do such things without an organization are any better than those who will do them with an organization?

Answer. I do not think there would be much difference; it is equally bad.

By Mr. COBURN:

Question. You said something about men coming from North Carolina; did you ever hear the name of anybody coming from there?

Answer. I never did.

By Mr. BLAIR:

Question. You spoke of an old man who was arrested and turned over to the negroes and treated very badly; what was he arrested for?

Answer. He was accused of being in the Ku-Klux Klan that whipped Champion and the others.

Question. Who had charge of the negro militia that arrested him?

Answer. That was a question between the United States commissioner, Mr. Poinier, who was also trial justice, and Mr. Fleming. There was a controversy between them as to who had issued the warrant and made the arrest, and as to who had charge of the prisoner. When they found the trouble arose from the fact of the prisoner being turned over to the negroes, they both denied that they were responsible. They had a controversy in the paper; each one said it was the other.

Question. They went themselves and had the man arrested, and then turned him over to the negro mob?

Answer. Yes, sir; at the gate of my uncle.

By the CHAIRMAN:

Question. Whom do you mean by "they"?

Answer. Poinier and Fleming, both trial justices. They went with the negroes, arrested the man, brought him back to my uncle, who was a trial justice also, and there at the gate turned him over to the negroes. The negroes themselves say that they were told to do as they pleased with him, or to keep him on his feet till daylight. They double-quickened the man up and down the road till he fainted, and but for the intervention of an old colored man, who had a son in the crowd, the prisoner said he has no doubt they would have taken his life; they told him they intended to give him a devilish sight worse than the other men had got.

Question. Was there any proof that he was connected with the crime?

Answer. I do not think there was. He was taken with a warrant, and instructed to come to Spartanburgh on a certain day.

By Mr. VAN TRUMP:

Question. How old was he?

Answer. About fifty or sixty.

By the CHAIRMAN:

Question. What was his name?

Answer. O. P. McArthur.

By Mr. BLAIR:

Question. Without any trial of any kind they turned over the prisoner to the negro mob?

Answer. Yes, sir.

Question. Did not that circumstance cause a great deal of the trouble which occurred afterward in your county?

Answer. Yes, sir; the people were very much incensed. The news went out next morning. Old men, preachers, and everybody else rose and were almost in arms about it. That is what scared my uncle Camp; they sent a committee up to him.

By Mr. VAN TRUMP:

Question. What was your uncle's politics?

Answer. Republican; he had joined the party some months before.

By Mr. BLAIR:

Question. This outrage was done by official authority?

Answer. The committee went up to see Justices Poinier, Fleming, and Camp, intending to ask them either to bail McArthur, or take him out of the hands of the colored people and carry him to jail. They were not willing the colored people should run him to death. But when they got there, these men, having heard something about the ill-feeling against them, had gone on to Spartanburgh.

Question. These officers?

Answer. Yes, sir; they had taken recognizances; they had several other prisoners arrested the next morning. My opinion is, that Poinier and the others were drunk; I think they left Spartanburgh with about two bottles of whisky. I do not think Poinier is a bad man at heart.

Question. Only bad when he has got too much whisky?

Answer. I think if he had not been tight he would not certainly have acted as he did.

Question. Were any of these negroes dealt with by the people for their brutality to this man?

Answer. No, sir; I never heard of it, or of any one of them being arrested.

Question. Were these trial justices Ku-Kluxed for that trial?

Answer. No, sir; never have been; that is one reason why I think there cannot be an organization.

Question. Didn't it seem to you impossible there should be such an organization, that it should permit Poinier and his friends to live there after that trial?

Answer. It is a thing I do not understand; I could not say that there was or was not. I know these men are at Spartanburgh, a go-ahead place.

Question. This is the same Poinier who destroyed the box at one of the precincts of election?

Answer. He just simply said they should hold no election; then it was some eight or ten miles to the next voting place; it is supposed the box would have been conservative largely.

Question. What was the alleged reason for refusing to allow the people of that precinct to vote?

Answer. Because they had committed this outrage—whipped Champion, Bowden, and Linder.

Question. For that reason he refused to let them have the privilege of suffrage?

Answer. I suppose that was so

By Mr. STEVENSON:

Question. Did they vote at all?

Answer. They went, a good many of them, to the next voting place, eight or ten miles.

By Mr. POLAND:

Question. They had a right to vote at the next precinct if they chose to go?

Answer. Yes, sir.

By the CHAIRMAN:

Question. What became of the charge against McArthur; was he ever tried?

Answer. No, sir; he came to Spartanburgh at the time required, and asked for a trial with the other parties arrested—some two or three others I think—and neither of the three justices would investigate the matter. Mr. Camp seems to have had nothing to do with the issuing of the papers.

Question. Was McArthur ever bound over, or did the case go any further?

Answer. I never heard of it; they said if they wanted him they would send for him afterward.

Question. Has he instituted any suit against them for false arrest?

Answer. No, sir, not yet. He has a son who was going to Mississippi to teach school, and there was an arrangement for himself, and probably a daughter, to go to Arkansas or Texas to teach school. Possibly he has gone with part of his family?

By Mr. POOL

Question. Were not these parties who were arrested bound over for their appearance at court?

Answer. I do not know the nature of the bond they gave, but I think it required them to appear before the magistrate's court—Fleming or Poinier.

Question. Was it not the duty of the magistrate to return them before the grand jury at regular term of court?

Answer. I have never heard of it since.

Question. The grand jury would be the proper tribunal to continue the prosecution?

Answer. If it comes within their knowledge it would; that is the usual mode of doing business.

Question. Would it not have been impossible for the grand jury to be impaneled in that county afterward without having knowledge of it?

Answer. I think they must have known it.

Question. Has there ever been any presentment?

Answer. I do not know.

Question. When it was known that the fifteen negroes had double-quickened this man, there was general indignation expressed among the white people?

Answer. Yes, sir.

Question. Was the excitement very general?

Answer. It was in that section, I understood.

Question. You said there was a general rising up of the people and expression of indignation, and some action taken?

Answer. They appointed a committee to look into it.

Question. Did you ever hear of any such rising up and expression of indignation when others had been taken out by the Ku-Klux and whipped or killed?

Answer. No, sir; I do not know that I have heard anything of that sort.

Question. Would you think it a greater crime to double-quick a man in that way, or take him from his bed at night and whip him in the style men were whipped in your county in so many instances?

Answer. I should think it a greater crime to do the latter. But I think there was some need for an uprising to get these men to do their duty. They were officers of the State acting under oath, and the people felt indignant that they should allow such a thing. I suppose that was the general feeling in the neighborhood; it was something of my own feeling when I heard it.

Question. Then the demonstration was directed more against the offense of the officers than against the negroes?

Answer. Oh, yes, sir; the negroes in the neighborhood acknowledged it, but said they thought they were obliged to go after this man. They are working in the neighborhood; some have taken fright and left. I met one when I was last in the country driving a wagon; he acknowledged that he was with them all night.

Question. Have you ever heard any indignation expressed against the grand jury for not finding an indictment for all these outrages you have detailed?

Answer. I have not had anything to do with the courts, and have not heard anything about it. I have not heard any indignation.

Question. How long do your grand juries generally sit in your county?

Answer. Two or three days?

Question. Have you known a grand jury to sit beyond four days in your county in the last eight months?

Answer. I do not think I have; I do not think I ever knew them to sit over four days. They usually assemble on Monday and leave Wednesday.

Question. How often do they meet?

Answer. Twice a year, I think.

Question. Meet on Monday and adjourn on Wednesday?

Answer. That was so when I was sheriff.

Question. Do you consider that due diligence on the part of the grand jury when so many outrages are occurring of general notoriety?

Answer. It seems to me, where there is any chance to arrive at the parties, they should certainly present the offenders.

Question. Do you know any other way to arrive at the parties than to sit and try?

Answer. I would hardly know how they would commence.

By Mr. VAN TRUMP:

Question. Did you ever understand that the grand jury adjourned before they got through their regular business?

Answer. Oh, no; the judge would not dismiss them till they did.

By Mr. BECK:

Question. Was there any impression that the grand jury were winking at the doings of the Ku-Klux?

Answer. I think not.

Question. Did you ever hear any indignation expressed against a grand jury because they did not indict a man they could not find?

Answer. Not a word; never heard anything said at all in reference to the grand jury.

By Mr. POOL:

Question. Would you consider it a proper discharge of their duty if they did not even make diligent inquiry?

Answer. I suppose that they have done it; if they are honest men and good citizens they would try to find out something.

Question. Were any of the negroes who treated that prisoner so badly ever visited by the Ku-Klux?

Answer. If they were I never heard of it. I do not think they were to blame so much as the officers.

Question. Do you think that occurrence is any justification for whipping negroes afterward?

Answer. Oh, no, sir.

Question. These other occurrences were afterward?

Answer. I have no idea that that was the cause of the other outrages.

By Mr. BECK:

Question. What is the politics of the judge of that court?

Answer. I should say republican; he has now resigned.

Question. Has the judge control over the sittings of the grand jury?

Answer. Yes, sir.

Question. Did you ever hear of his complaining of the action of his grand jury in adjourning before they got through?

Answer. I never did.

Question. He could keep them as long as he chose?

Answer. Yes, sir.

Question. He is a republican?

Answer. Yes, sir; he was.

By Mr. POOL:

Question. Are not the grand jury discharged when they come in and report that they are through?

Answer. The judge generally asks them if there is any thing further, if they have visited the poor-house, jail, &c.

Question. And upon their report he discharges them?

Answer. Yes, sir.

Question. You said a republican of good character might remain without danger?

Answer. I think any of them can. However bad you might consider some republicans and officers who are under oath, if they can live in the community where they now are without molestation, I should think any man who is at all respectable could stay without censure. I do not think a man would be objected to on account of his politics there—a clever, good, man.

Question. If he was a good man?

Answer. And a good citizen of the country?

By the CHAIRMAN:

Question. Were you in the court when the case in Limestone Township was acted upon, and the grand jury reported no bill?

Answer. Do you speak now of the person who was doubled-quickened?

Question. I am speaking of a bill sent up against the parties in Limestone. Were you in court when a number of armed young men were there when the grand jury returned the bill?

Answer. There were several young men, but it did not come to my knowledge that they were armed. I was not in court at the time, but I saw one young fellow at the court who said he intended to whip another young man, and made some remarks.

Question. Do you know of a number of young men cheering in the court-house when the grand jury brought in no bill?

Answer. I heard there was. I do not think I was in the court.

Question. Have you an organization, the Council of Safety, in Spartanburgh County?

Answer. I never heard of it till I came here. I heard it from some friends here from North Carolina.

Question. Were you a member of such an organization?

Answer. No, sir.

By Mr. BLAIR:

Question. You heard of it, you say, from some friends here from North Carolina?

Answer. From some witnesses here—Howle and Hall. They were telling me about it, and various other names I had never heard of.

By the CHAIRMAN:

Question. You say you think several of these outrages were occasioned by private feuds and animosities; these feuds and animosities have not been very urgent in South Carolina for several months past?

Answer. I am not at all prepared to speak about all of them.

Question. Have there not been as many of them between individuals two or three years ago as within the last eight months?

Answer. I hardly think so; I think there have been more in the last eight months than previous.

Question. What has been the occasion of the avenging of private feuds within the last six months?

Answer. I think it has been caused by the appointment of men who do not regard their offices as sacred, and do not carry out their duties in accordance with the law. I speak of the affair between Turner and his neighbors and that at Limestone. I think there is a personal feeling among relatives that it will take years to wipe out, and that politics have probably nothing to do with it at all.

Question. Would not that give rise to feuds three or four years ago as much as within the last six months? Didn't you have as much bitter animosity just after the war?

Answer. I do not know; the excitement has been more in the last few months. It is a feeling of prejudice against the races originating in difficulties not happening in Spartanburgh County, but in York and the adjoining counties. They have come near having a collision.

Question. You attribute these occurrences to animosity among the races?

Answer. Not at all to that; but in connection with this feeling, the animosity arising from the declarations of negroes, in addition to these private feuds, has created more excitement than I have ever known in the county.

Question. It is only in the last six months that the Ku-Klux outrages have occurred?

Answer. Six or eight months.

Question. Was not the first outrage just before the election?

Answer. Just a few days before; Champion and three negroes were whipped.

By Mr. VAN TRUMP:

Question. What, in your opinion, would be the most efficient mode of conducting this examination—for this committee, or a portion of it, to go into these localities and investigate there, or sit here?

Answer. My opinion is that the committee would be better satisfied if they would go there, where they could judge by the character of the witnesses brought before them. There they could get the whole gist of the matter if there was any chance to find out the offenders.

Question. What is the feeling among the respectable portion of the community as to whether they would have the investigation conducted there or here?

Answer. I have not heard any thing said.

By Mr. STEVENSON:

Question. How long do you think it would take us to find out the leaders of the Ku-Klux Klan in your county?

Answer. I do not know ; we have not found it out yet, and I do not know what kind of power you might have for finding out things.

By Mr. VAN TRUMP :

Question. If Poinier is correct in his views—that men are suspected there who could be summoned—would it not be more likely to be reached there than to call the witnesses here ?

Answer. It seems to me it would, because you could get the parties. I take it that the good people of the county are opposed to all these depredations. I think you would arrive at that fact by going down there.

By the CHAIRMAN :

Question. Have you any idea that men in that county could tell us who are the leaders ?

Answer. I have not. I think we have many men who, if they knew it, would tell it.

Question. Have you any idea who are in the organization ?

Answer. I could not say.

Question. Could not furnish any name that would be likely to have a knowledge of the existence of the operations of the Klan ?

Answer. No, sir.

Question. In any portion of the county ?

Answer. No, sir.

Question. Could not give the committee any direction whom to send for as likely to give them information ?

Answer. I have heard that Poinier and Fleming have named some men that some of the parties who were whipped think they know.

Question. You yourself, having a wife and children there and feeling the danger, have directed your attention somewhat to it ?

Answer. Yes, sir ; I have had a little indignation.

Question. Having that interest at stake, did you not have a remote idea of who were countenancing these men ?

Answer. I have thought it was reckless fellows, that did not have anything at stake

Question. As an aid to the committee in ferreting out the parties, can you give us a single name.

Answer. I would not like to name any one, for I have not the least evidence of guilt, and it would be a serious charge.

Question. Would you have any apprehension of the result to you if you should name those who you think might be implicated ?

Answer. I should not fear any danger from them, for I have not done any one any harm.

By Mr. POLAND :

Question. Do you suppose a committee of Congress, made up of entire strangers, would have any better means of finding out the leaders than the grand jury who know everybody there ?

Answer. Well, sir, I do not know that they would.

Question. Do you think they would have near as good an opportunity as a grand jury made up of citizens there ?

Answer. I think if the grand juries were made up of intelligent men, it would be better than to have them made up as they are now, to a great extent, of ignorant men.

By the CHAIRMAN :

Question. With these occurrences going on as reported in May last, do you feel that life and property are secure in that county so long as the perpetrators go unpunished ?

Answer. I think not ; I have not thought so ; but then everything has got quiet of late. Governor Scott has turned some parties out of office and appointed better men, and since they have been appointed I find the troubles are subsiding and we seem to have quiet. I think the present officers will have peace there.

By Mr. STEVENSON :

Question. Can you give us the names of some of the class of men that you think probably belong to the organization ; you have some Ku-Klux sort of men ?

Answer. We have some harum-scarum, drinking men.

Question. Name them.

Answer. It would be almost to bring the charge against them ; they might be and might not be.

Mr. VAN TRUMP. I object.

Question. Can you give us the names ?

Answer. Unless I have some evidence, I am not willing to name any.

Mr. POOL. I object.

WASHINGTON, D. C, June 30, 1871.

JOSEPH HERNDON sworn and examined.

The CHAIRMAN, (Mr. POLAND.) As this witness has been summoned at the instance of the democratic members of this committee, I think, Mr. Beck, it would perhaps be well for you to begin his examination.

By Mr. BECK:

Question. Where do you live, and what is your business at the present time?

Answer. I live in Yorkville, South Carolina, and I carry on a tannery in town, and I have a mill and a farm in the country.

Question. How long have you lived there?

Answer. I have lived there seventeen years last January, if I remember aright.

Question. Tell the committee all you know about the condition of things in Yorkville, so far as concerns the administration of the law and the security of life, liberty, and property in that country. If you have had any difficulties there state when they first began.

Answer. Well, sir, the country is very quiet at this time, and has been for a good many weeks. There was some difficulty there along last winter, and in the spring.

Question. Prior to last fall and winter how was it?

Answer. The country was very quiet; we had no difficulties, that I recollect of.

Question. Until about what time?

Answer. I think they commenced probably about the first of the year; that is my recollection now.

Question. Did you have some difficulty there among your distillers and collectors of revenue some time last year?

Answer. I heard of some difficulties; I merely heard of them; I did not know anything about it except just what little I heard; that Mr. Wallace had some difficulties, but not to any extent—very little. I do not think there is very much distilling going on in the country. That was way up in the upper corner of the county where I was not in the habit of going. I heard that he was after some men up there, trying to catch some men.

Question. Had you any armed organizations of any sort in your county during the summer of 1870, and during last winter?

Answer. There was none that I know of, except there were some negro companies in the county that were armed.

Question. How many of them?

Answer. It is said there were from four to six companies, and from eighty to one hundred men in a company.

Question. About what time were they organized and armed, and by whom?

Answer. It was along last summer some time; I do not remember exactly the time. I never expected to hear of it again, and I took no notice particularly of it. I heard it was last summer—along in the summer—and I understood they were armed by the governor of the State.

Question. Were there any whites organized into militia and armed by the governor of the State?

Answer. I understood there were some companies made up but not armed, as the governor would not accept them.

Question. All the armed companies you know of were some colored companies?

Answer. That was all. There was one company at Yorkville, two at Rock Hill, one at Fort Mills, and one down at McConellsville, down south of us. There may have been one off in the corner of the county somewhere.

Question. Were those companies in the habit of attending political meetings with their arms?

Answer. Well, that I do not know. I did not attend any of their political meetings; none at all, myself.

Question. Have you any information upon that subject on which you rely?

Answer. I do not remember that I have.

Question. Had you any incendiary fires in your county last fall and winter?

Answer. Yes, sir.

Question. State about how many, and the time of their occurrence, and their origin, as well as you know.

Answer. The first fire we had that I remember of was in September; it happened in our little village. There were some three or four houses burned. I do not know whether that was an incendiary fire or not. All that I can say to you is that the man who lived in the house where the fire first started thinks that it was. I do not know; I have no means of knowing whether it was an incendiary fire or not.

Question. Was it generally believed to be?

Answer. I think it was at first.

Question. And how after that?

Answer. There was a difference of opinion about it. Some persons thought all the time it was an incendiary fire; others thought it was not.

Question. After that time how many other fires occurred?

Answer. We had a great many fires in the county after that. I think the next fire was some time in November or December. There was a gin-house burnt, and, I think, a saw-mill. That was perhaps the next fire of any account.

Question. Was that supposed to be the work of incendiaries?

Answer. Yes, sir.

Question. Then you had a fire some time in January, had you not?

Answer. Yes, sir; there were four or five buildings burned one night in January.

Question. State the circumstances attending that fire, and what was believed about it.

Answer. Well, the people there believed that the thing was concocted in the village, from what they could gather from the negroes; they could not tell.

Question. State all the facts to the committee.

Answer. These houses in the country, some four or five of them, were all burned about the same time.

Question. Do you mean the same hour?

Answer. About the same hour, yes, sir. Before the burning commenced—I did not hear this myself, but a great many persons did hear it—there was a volley of some twenty or thirty pistols or guns fired off in the street, opposite to a house where the county treasurer kept his office, and very soon after this volley was fired off those buildings were seen on fire; and they supposed that was a signal for setting them on fire. Of course I do not know; I only give you what was the impression.

Question. What was the common belief of the people?

Answer. That was the common belief of the people.

Question. Was it at night after the people had retired to bed?

Answer. Yes, sir; one or two o'clock in the morning.

Question. What were the buildings burned?

Answer. There were one or two barns and two or three gin-houses in that fire, as well as I recollect.

Question. In different parts of the county?

Answer. Yes, sir; in a kind of a circle from the north around to the east of the village.

Question. Was there a large gathering of colored people in town that night?

Answer. Yes, sir, there were a great many negroes in town that night from the country.

Question. Do you know the cause of their gathering there that night?

Answer. It was said they had a league meeting there that night; that was what the people said.

Question. Did the volley believed to be a signal for those fires come from that league meeting?

Answer. That was what was believed; that that was the signal for the parties to set the fire. I do not know this, of course; this is just what I heard talked.

Question. At these meetings held and largely attended by colored people, what sort of speeches were generally made to them by their leaders?

Answer. I understood that there were a great many of them very incendiary speeches. I did not attend any of their meetings.

Question. What was the character of those incendiary remarks, as you have heard them repeated?

Answer. I heard several persons remark that Mr. John L. Neagle, who is now the comptroller general of the State, made a speech there last summer, and said to the negroes that if they could not get this, that, and the other, that town might probably be laid in ashes; that matches were cheap, and all that sort of thing. I did not hear that; this was the talk.

Question. Made during the canvass last summer?

Answer. Yes, sir.

By Mr. POOL:

Question. Made in a secret meeting of the league?

Answer. No, sir, that was a public speech; I did not hear it; I did not hear any of the speeches, for I was not present at any of these meetings.

By Mr. BECK:

Question. Was it said that other speeches of the same character were made by other persons?

Answer. I heard so, both black and white.

Question. What was the effect of that character of speaking, and of the arming of the militia, on the general conduct of the colored people; did they become more or less well or ill disposed to the white population?

Answer. The negroes seemed to become a great deal more insolent after these speeches and after they were armed; they were harder to manage and to get along with; the

people could not get along with them just as they had before; they were marching and attending every meeting all over the country everywhere; marching about town with fifes and drums, and making threats. So it was said; I never heard them make any threats myself.

Question. What was the character of the threats that they were said to have made?

Answer. I understood the threats were to burn up our little village.

Question. Did that state of things create a great deal of alarm among the property owners?

Answer. Yes, sir, a great deal of alarm.

Question. Was the property mostly owned by the whites or by the blacks?

Answer. Mostly by the whites; most of it is owned by the whites.

Question. What is the population of your village?

Answer. I suppose it is about fifteen hundred.

Question. What is the population of your county?

Answer. From twenty thousand to twenty-two thousand.

Question. What is the proportion of white and black?

Answer. Very nearly equal, I think.

Question. What is the proportion of republicans and democrats among the whites?

Answer. O, the democrats have a very large majority of the whites.

Question. About how many white republicans have you in your county, do you think?

Answer. I do not know; I have heard persons say there were a hundred or two, or two or three hundred, something like that; I do not remember.

Question. You mean two or three hundred voters?

Answer. Yes, sir.

Question. You say that your county at present is quiet and orderly, so far as you know?

Answer. Very quiet and has been for several weeks.

Question. Is there any feeling of hostility in any form among your people toward the Government of the United States?

Answer. None in the world, that I know of.

Question. What complaint is generally made when complaint is made about the government; is it local, or what?

Answer. Local, so far as I know. I think that one of the great troubles in our country was the arming of the negroes; it caused our people to be very uneasy; they did not know what the meaning of it was—did not understand it—and it created a bad feeling.

By Mr. BLAIR:

Question. Was there any necessity for it?

Answer. I do not know of any necessity in the world. The whites and blacks were quiet.

Question. Getting along peaceably and amicably together?

Answer. Yes, sir, so far as I know.

By Mr. BECK:

Question. What kind of local administration of the law have you had, and what were your local officers?

Answer. We have had very bad officers in our county. We had several negro trial justices, ignorant creatures, who did not know anything; and some white men who are not much better. Those, however, have been removed, the most of them, and better men put in their places, whom the people are very well satisfied with.

Question. That, you think, has done very much to improve the condition?

Answer. I think it has. These justices of the peace, if I am correctly informed, are some republicans and some democrats.

Question. Now?

Answer. Yes, sir; and the people seem to be very well satisfied with them, for they are men well qualified to attend to business. I have not heard a single complaint that I know of, since the removal of these negroes.

Question. Have you had any cases of men in disguise committing outrages in your county?

Answer. Yes, sir, I think we have; that is my impression. From all I can hear, I have no doubt that we have had men traveling in our county in disguise, committing some outrages.

Question. Are they believed by your people, or by yourself, to be part of any general organization; or merely bad men disguising themselves for particular occasions to escape detection?

Answer. I think they are a set of bad men. I have no idea that there is any organized band in our county, except a gang of these fellows, who just pick up and go about doing this mischief. I think they are the scum of the country—bad men.

Question. Disguising themselves the more easily to escape detection?

Answer. Yes, sir.

Question. Banding together for the particular act they propose to do?

Answer. Yes, sir. If there is any organized band I have no idea of it; if there ever has been I have no idea of it. I would not know a man who was ever engaged in that business, for I never saw one of them to know who he was; not a man.

Question. Have any of the colored people themselves on more than one occasion, or at least upon one occasion, got together and disguised themselves for the purposes of committing outrages of the same sort, as well as the whites?

Answer. There was a colored band went to the house of a merchant in the country some time ago, in disguise, drove the clerk off, broke the house open, and took all the money they could get and some goods. They were all disguised. They followed them the next day and caught them; and I understand that there are nine of them now in jail, and they got some of the disguises they had.

Question. Do you remember whether they had done anything to their faces to give them the appearance of white men?

Answer. I understood that they had put something white over their faces, and afterward put on a disguise. That is just what I heard.

Question. You say "something white;" what was it?

Answer. I do not know what it was; some white substance put on their faces; I do not remember that I have ever heard persons say what it was.

Question. It was to give the appearance of white men in disguise?

Answer. Yes, sir.

Question. They were caught in disguise?

Answer. Yes, sir; and I understood that they had the disguises now to bring in as evidence against them, when they are to be tried.

Question. Have you had any difficulties about criminals being improperly or injudiciously pardoned by the governor?

Answer. Yes, sir.

Question. To what extent has that been done?

Answer. The leader of this band who broke open this store was a negro who had been convicted of stealing and sentenced by Judge Thomas, as I understood, for two or three years in the penitentiary; and in a very short time, I do not know how long, he was pardoned and turned out, and not a great while after he committed this robbery; he was the leader and has made his escape.

Question. He was a convict turned out by the governor shortly after his sentence was passed on him?

Answer. That is what I understood.

Question. Has the governor been pretty liberal in pardoning criminals?

Answer. I have understood so; very liberal.

Question. Has it been confined to his own party friends, as you understand?

Answer. So far as I know, in our county it has been confined entirely to them.

Question. Do you know whether these pardons became more frequent before the election?

Answer. I understood that it was so, that they were much more frequent at the approach of the elections.

Question. Was this colored man you spoke of, that he pardoned, a notoriously bad character?

Answer. Yes, sir, he was a man of bad character.

Question. What effect had the exercise of the pardoning power of the governor, in the way you have spoken of, upon the people as regards their sense of security?

Answer. They feel rather insecure.

Question. Are there any negroes in your county who have ever voted the democratic ticket; or have they tried to do so, and can they do so if they try?

Answer. Yes, sir, I think there have been a few; but I have heard of their being threatened to be mobbed if they do. Still I think a few of them did vote the democratic ticket, a very few.

Question. Are threats and intimidations freely exercised upon the negroes who seek to vote the democratic ticket, by their colored friends?

Answer. I think so.

Question. Can a negro vote the democratic ticket with any security at all from his league friends?

Answer. Well, some of them did risk it; I do not know how secure they thought themselves, but they did vote, a very few of them; I do not know more than three or four about our place who did.

Question. You think they are prevented by intimidation from attempting it?

Answer. I suppose so.

Question. Is that your opinion?

Answer. That is my opinion.

Question. Had your town to be guarded in the time of these fires for fear of a general conflagration?

Answer. Yes, sir; our people got up some men and had our town guarded for some time, for they were very uneasy and fearful of our buildings being set on fire; they were looking for it all the time, were fearful of it; and we had some few men out,

kept them out a great many nights, several of them patrolling the town to see if we could not keep it down; but there was no fire after the burning of last September.

Question. No fire in the town?

Answer. No, sir.

Question. The fires in the country were in January?

Answer. Yes, sir, and in February.

Question. Those were evidently incendiary fires?

Answer. O, everybody believes so, had no doubt about it at all.

Question. Did you hear of a case that occurred very recently, of some negro women kukluxing one of their own people; what did you hear about that? If you have heard it, tell from whom, and what you know about it.

Answer. I met a gentleman on the train, as I was coming here, after I left home—

Question. Who was he?

Answer. A Reverend Mr. Ross, a clergyman. He told me that probably ten days ago, in his neighborhood—

Question. In your county?

Answer. Yes, sir; I know nothing outside of that. A black man and his wife had some difficulty, and his wife went off and got up some six or eight colored women, and I think his statement was that there was a white man among them. They dressed up in men's clothes, and disguised themselves every way, and then went to the house of her husband, took him out and gave him a most terrible whaling, beat him very badly with rocks and sticks. I had not heard this thing till he told me on the train, as I was coming here. I believe he said they had caught them and had them now in jail.

Question. Is Mr. Ross a minister stationed in your county?

Answer. Yes, sir.

Question. What is he?

Answer. A very intelligent man, of good character and good standing; none more so in the State. He is a man, I suppose, about forty-five or fifty years of age.

By the CHAIRMAN, (Mr. POLAND:)

Question. To which political party do you belong?

Answer. I belong to the democratic party.

Question. You say there was an alarm felt among your people in consequence of the negroes being armed?

Answer. Yes, sir; a good many of our people felt alarmed.

Question. They were organized into regular militia companies under the law of your State, I suppose?

Answer. That I do not know.

Question. Did you so understand?

Answer. I understood that the governor organized these companies and armed them; I suppose it was by law; I do not know.

Question. That is what you understand, is it, that they were part of the regular militia of the State?

Answer. I do not know.

Question. Well, is that your understanding; or do you understand that the governor made an indiscriminate distribution of arms among the negroes?

Answer. I understood he made an indiscriminate distribution of arms to the negroes, not to the whites.

Question. Do you understand that he furnished arms to regular militia organizations; or were they distributed indiscriminately to anybody who wanted arms?

Answer. O, no, sir; I did not understand that he distributed arms to anybody who wanted them; I understood these companies were formed, wherever they were, and offered themselves to the governor as militia companies, and he then armed them; that is what I understood.

Question. As regular enrolled militia?

Answer. I suppose so.

Question. Have those negroes ever killed anybody?

Answer. The negroes that were armed in our county?

Question. Yes.

Answer. Not that I have heard of.

Question. Have there been any cases in your county, within a year, of persons being killed by violence?

Answer. Yes, sir; I think so.

Question. State any cases of that kind that you have heard of?

Answer. There was a negro killed in our county—the first one I heard of being killed; he was killed out in the western part of the county.

Question. Do you remember his name?

Answer. I think they called him Roundtree. I did not know the negro; that was twenty odd miles from the court-house. That happened in November. I was not at home at the time—I was in Virginia; but it was so, I do not doubt about it.

Question. Was he killed by a band of men ?

Answer. It was so said.

Question. Disguised men ?

Answer. It was so said.

Question. Was he killed in the night ?

Answer. I understood he was killed in the night ; that is what I heard.

Question. Did you learn anything about the number of men who were there participating in that ?

Answer. No, sir ; I did not ; I never heard anything about the number.

Question. Has anybody been arrested for that killing ?

Answer. Yes, sir ; there were three men arrested, I think, and tried for the killing of that negro.

Question. Were they convicted ?

Answer. No, sir ; they were acquitted.

By Mr. POOL :

Question. Tried by a jury ?

Answer. Yes, sir ; tried by a jury ; tried regularly in court before Judge Thomas.

By the CHAIRMAN, (Mr. POLAND :) :

Question. Were they not able to make out that they were a part of the band ?

Answer. No, sir ; the parties who were arrested were acquitted. There were three men arrested and tried, and they were acquitted.

Question. Were they white men or colored men ?

Answer. The men who were arrested and tried were white men.

Question. Was the jury by whom they were tried, composed of white men or colored men ?

Answer. I do not know ; I was not at the trial ; I suppose the jury was mixed. I suppose so, for we have not had a jury in a year——

Question. That is the custom now ?

Answer. Yes, sir ; the jury was mixed, I guess, some whites and some blacks.

Question. Did you understand anything about why that man was killed ; do you know anything about that ?

Answer. I can give the reason I understood he was killed for. He had some three or four bales of cotton on hand, and he took it down to market and sold it, and came home with a hundred or two, or two or three hundred dollars ; that was the tale I heard ; and he made statements in the neighborhood that he had brought that money home for the purpose of buying guns to kill all the whites in the neighborhood. That was talked of ; I heard the statement made.

Question. You did not understand that he was killed for the purpose of getting his money ; but to prevent him from buying guns. Did the persons who killed him take his money ?

Answer. No, sir ; I never heard that charged to the crowd.

Question. As you heard the story, the man was killed to prevent him laying out his money for guns ?

Answer. Yes, sir ; that was the story.

Question. Has there been any other person killed in your county ?

Answer. Yes, sir, there was a negro killed—let me see—some time in January, I reckon it was, or in February ; I forget the time. The next one I remember was a negro living not more than four or five miles from our town. He was killed in the night by disguised men ; so said. I understood that was what his family said, that there were six disguised men went to his house, took him out, and shot him.

Question. What was his name ?

Answer. His name was Anderson Brown.

Question. Has anybody been arrested for that ?

Answer. No, sir.

Question. Has there been any inquiry or effort that you know of to find out who they were who shot him ?

Answer. I do not know ; I suppose there have been efforts made to find out, but nobody has been arrested.

Question. Have you heard any cause alleged for the killing of Brown ?

Answer. Yes, sir ; I have heard it talked around the country that he was killed, it was supposed, for being one of the party that did this burning—the house burning ; that he was the principal man ; that is what was talked of ; I heard that talked, you know.

Question. Whether there was any truth in that or not, you do not know ?

Answer. I do not know whether there was any truth in it or not.

Question. But you have heard that he was suspected of being one of those men ?

Answer. Yes, sir.

Question. And that was the reason alleged for killing him ?

Answer. Yes, sir; that is what I heard going the rounds of the country; how it got out I do not know.

Question. Has any other person been killed?

Answer. Yes, sir, there was another negro killed up about the North Carolina line, just at the line of our county and North Carolina.

Question. Yours is a border county.

Answer. Yes, sir. The name of that negro I do not remember. York borders on Cleveland and Gaston Counties, in North Carolina.

Question. You do not remember the name of that negro?

Answer. No, sir.

Question. When was that?

Answer. I cannot tell, but it was some time last winter; I do not remember the time.

Question. Was he killed, as you understood, by a band of disguised men?

Answer. Yes, sir, I understood he was killed by a body of disguised men.

Question. In the night-time?

Answer. Yes, sir, in the night.

Question. Has anybody ever been arrested for that, that you know?

Answer. Not that I know.

Question. Do you know whether there was any effort made to discover the perpetrators of that murder?

Answer. I do not know; I suppose there may have been some effort made in that region of country, but I do not know.

Question. Have you ever heard any reason alleged for killing him?

Answer. Yes, sir.

Question. What was it?

Answer. The alleged reason for killing him, I understood, was that he was living in adultery with two old maids—two white women.

Question. Two white women?

Answer. Yes, sir. I heard that he was shot on the steps of the house; that they went there, and he was in the house where they slept, in the same room, and as he came out of the door they shot him on the steps. Now that is what I heard.

Question. Did you understand how large a band of men that was?

Answer. I think I understood there were but a few of them, not more than six or eight; that was my understanding, that there were but few of them.

Question. Has there been any other case of murder in your county?

Answer. Let me see—yes, sir; there was a negro hanged down in the southern part of our district.

Question. What was his name?

Answer. His name was Williams; I think he called his name Williams; so I understood; I did not know the negro.

Question. When was that?

Answer. That was last winter. He was the captain of one of the militia companies. I understood that some parties went to him to get him to give up these guns, that were creating so much disturbance in the neighborhood.

Question. The guns that had been furnished by the governor?

Answer. Yes, sir; and he would not do it. I heard it alleged that that was the reason they hung him.

Question. That was done by a band of disguised men?

Answer. That was done by a band of disguised men.

Question. Did you understand how many were present on that occasion?

Answer. No, sir; I did not; I never heard any supposition as to the number.

Question. Did you ever hear that this man Avery, who has been here, was present on that occasion?

Answer. No, sir; I never did; I never heard him charged with it.

Question. You never heard any allegation of that sort?

Answer. No, sir; I never did. If there ever was any such allegation, I never heard it. I never mix any with the younger portion of the men, and never hear anything of their talk in the country anywhere.

Question. Has anybody been prosecuted for the hanging of Williams?

Answer. Not that I know of.

Question. You have not heard of any?

Answer. No, sir.

Question. Was there anything else charged against Williams except his refusal to surrender the guns that the governor had furnished?

Answer. Nothing, except that he was a bad man.

Question. Bad in what respect?

Answer. Advised badly, and counseled badly his negro friends; that is what I heard alleged against him.

Question. What did he counsel them to do?

Answer. I do not know what he counseled them to do, only that it was bad counsel; what that counsel was I do not know, and I never heard.

Question. Have you ever heard of any act of violence or lawlessness that was done by his advice?

Answer. No, sir; he lived some distance from me, some twelve or fourteen miles.

Question. Nobody has been prosecuted for that?

Answer. Not that I know of.

Question. Do you know whether any effort has been made to ascertain who the parties were?

Answer. No, sir; I do not know.

Question. Do you know of any other case of murder within your county?

Answer. No, sir; I do not remember any now; I cannot think of any other now; if there has been any other it has escaped my memory.

Question. All four of these murders, to which you have referred, were done by disguised men in the night-time?

Answer. Yes, sir; that is my understanding.

Question. Have you heard of bands of disguised men being about in the night-time, on other occasions than the killing of those men, at other times, and in other places?

Answer. Yes, sir.

Question. Have you known or heard of any case of their whipping anybody?

Answer. Yes, sir; I have heard of it; I have heard of their traveling around in the country, and whipping negroes, and some white men.

Question. How many instances of that sort have you heard of?

Answer. I have heard of several instances.

Question. Were those cases of whipping generally of colored men?

Answer. They were mostly colored men, I should say.

Question. How many instances of their whipping white men do you remember to have heard of?

Answer. I do not remember; I have heard of their whipping several white men, but I cannot tell you the number, for I have paid no attention to it.

Question. Mention the names of any white men that were whipped by them, that you can now think of.

Answer. I have heard of some names of men whom I do not know; I cannot remember their names.

Question. Can you give any names?

Answer. There was a man whipped, I think his name was White; that is one I do remember.

Question. A white man of the name of White?

Answer. Yes, sir; I think his name was White; and I remember the name of another white man, by the name of Hambright; I do remember that man, and I think there were some others, but I cannot remember their names now.

Question. Have you heard any reason alleged for whipping White?

Answer. Yes, sir; I heard it alleged that he was a bad man in his neighborhood; that he was robbing and plundering his neighbors; in fact he stole a cow from one of his neighbors and brought it up to our town and sold it to another white man.

Question. Was he prosecuted for that?

Answer. Well, sir, I do not know whether he was or not; but I do not think he was; if he was I do not remember it.

Question. Did you understand what was the reason for whipping Hambright?

Answer. No, sir. He lives a long ways off from me, some twenty-two or twenty-three miles; I do not know that I ever heard any reason for whipping him. Let me see—perhaps I am too fast. There was a militia company established, made up and armed in the upper part of the county, some eighteen months ago. It was disbanded after it had been there a good many months, and this man, I think, belonged to that company. I think I understood that he said they went to his house expecting that he had guns.

Question. The guns that had been furnished to that company?

Answer. Yes, sir; furnished to that company. I remember now that I understood that is what they went there for, to take those guns.

Question. To take them away?

Answer. Yes, sir.

Question. The company had been disbanded, and they went to take away some guns that had been left with him?

Answer. Yes, sir, some had been left with him. The governor had disbanded the company, and it had been disbanded for some time.

Question. You understood that this band went to him and demanded that he should give up those guns?

Answer. Yes, sir; that is what I heard.

Question. And he declined to do it?

Answer. I suppose he refused to do it; at any rate I understood that they abused him.

Question. Did they take the guns, or did they find any?

Answer. I do not know whether they took the guns or not; I never have heard.

Question. You never heard any charge against Hambright of his being a bad man?

Answer. No, sir; I heard no charge except that he was one of that militia up there; had joined that militia company.

Question. A quiet citizen?

Answer. Yes, sir.

Question. Has anybody ever been prosecuted or punished for this violence to Hambright?

Answer. I do not know; I understood he had been to the court-house for that purpose; but I do not know that any person has been prosecuted for it.

Question. Has anybody been prosecuted or punished for whipping White?

Answer. Not that I have heard of.

Question. Do you know whether anything has been done about it; any effort made to find out who the parties were?

Answer. There have been several prosecutions for whipping.

Question. Not for the whipping of White?

Answer. No, sir; I do not know whether he has prosecuted anybody or not?

Question. A great many negroes have been whipped?

Answer. O, yes, sir, several have been whipped.

Question. Has anybody been prosecuted for whipping negroes?

Answer. Yes, sir, there have been several cases prosecuted.

Question. Has anybody been convicted?

Answer. No, sir, not that I have heard of; not a single case that I know of.

Question. Have there been any trials of the cases before a jury?

Answer. They were tried before a court and jury.

Question. And all have been acquitted, so far as you know?

Answer. Yes, sir, so far as I know they have all been acquitted.

Question. Do you know what defense was set up in those cases?

Answer. No, sir.

Question. In some way they were not able to connect them with the whippings?

Answer. Unable to prove that they were the parties charged with the whippings.

Question. In all of these cases?

Answer. Yes, sir; all that I know of.

Question. Now, with all these cases of murder and whipping, by men who appear in disguise in various parts of your county, do you not think there is an organization to some extent?

Answer. Well, sir, I suppose this: as I tell you, I suppose there is a set of men, whom I consider bad men, who do organize themselves for that purpose; but I do not know that; it is nothing more than supposition.

Question. Do you suppose all those lawless acts have been done by this same class of men?

Answer. That same class of men, I think. That is the general impression in our country, because all the better class of men in our country set their faces against it; every good man puts his face against it and opposes it.

Question. In any of these cases, where acts of this kind have been committed, have there been any cases where money or property of any kind has been appropriated by any of the bands of men engaged in these transactions; do any of these outrages appear to have been perpetrated for gain in any way?

Answer. I have understood that some of them have been done for the sake of gain. Now I do not know that; but I think there have been some negroes who have reported that they have had money taken from them.

Question. In some of those transactions?

Answer. Yes, sir.

Question. Has that generally been the case?

Answer. I have not heard of it, at least not in more than one or two cases, or two or three cases, probably.

Question. These acts generally seem to have been committed merely for the sake of doing violence?

Answer. Well, it seems so.

Question. Now, have you in your own mind any idea of the motive that has actuated these men to do those things?

Answer. No, sir; I cannot say, unless they have been actuated from the fact of the negroes being armed, and all that sort of thing. I do not know, I cannot tell what has been their motive.

Question. These acts of violence have generally been committed against either colored men or white republicans, have they not?

Answer. So far as I know, I think they have; so far as I have heard.

Question. Do you think that fact has had anything to do with determining the class of persons against whom these acts have been committed?

Answer. I have heard of their visiting white men who were living in adultery with black women, and black men who were living with white women. There were a few instances of that kind.

Question. This class of bad men want to purge the community of any crime of that sort?

Answer. Well, I suppose so; and I have heard of their visiting men who kept little grog-shops in the country. I have not heard of their whipping any of them, but visiting them and telling them that they must desist from their course. My understanding of the reason why they visited those places was that there was a great deal of stealing being done; men's corn-cribs and smoke-houses were being broken open, and it was supposed that the corn and bacon and other things were taken to the fellows who kept these grog-shops and sold for whisky.

Question. Do you suppose the class of men who commit these acts of violence generally own corn-cribs and smoke-houses?

Answer. No, sir; I do not think they do.

Question. Why should they be so anxious to protect other people's corn and bacon?

Answer. I do not know that I can tell you. I do not think they own much.

Question. Do you know anything, or have you heard anything, in relation to the office of the judge of probate in your place being broken open at one time?

Answer. Yes, sir; I heard it was broken into.

Question. State so much as you know of what was done at that time.

Answer. I do not know anything except what I heard.

Question. What is your general understanding about the matter?

Answer. I understood that when General Anderson came up to our place to take the arms away from the negroes, a part of the ammunition that was in possession of the negroes was put in the judge of probate's office.

Question. Ammunition furnished by the governor?

Answer. Yes, sir; ammunition furnished by the governor.

Question. Stored in the probate office?

Answer. Yes, sir; stored in the judge of probate's office, as I heard; and some time after that it was broken open by a party.

Question. In the night?

Answer. Yes, sir.

Question. Were they disguised?

Answer. I never heard that they were disguised; I never heard anything about that. I never heard that they were disguised, or that anybody ever saw or knew who it was; but that it was broken open and all, or nearly all, taken out; a part, at least.

By Mr. BLAIR:

Question. All the ammunition?

Answer. Yes, sir.

By the CHAIRMAN, (Mr. POLAND:)

Question. And taken away?

Answer. Yes, sir.

Question. Was any one ever suspected of that, that you know?

Answer. No, sir; not that I have heard of.

Question. Do you suppose that was done by this same class of men?

Answer. I have no right to suppose; I do not know; I can only give you what I heard. There was a difference of opinion about it; some persons supposed the negroes did it, and some persons supposed it was done by whites; there was a difference of opinion.

Question. What was the theory upon which it was supposed that the negroes took that ammunition?

Answer. I do not know; there was no theory that I heard of. The people were just talking about it, and I know there was a difference of opinion.

Question. Did you not suppose it was rather a joke to charge that upon the colored men?

Answer. I do not suppose it was a joke; the men who talked it talked it really; but they might have been mistaken, you know.

Question. That ammunition had been furnished for the armed militia companies, had it not?

Answer. Yes, sir; I suppose it was. It was taken away from them at the time General Anderson took up the arms—that was what I understood—and deposited in the judge of probate's office; a part of it, at least, if not all.

Question. There would not seem to have been any adequate motive for them to break open the office and steal it?

Answer. No, sir; not unless they had some guns they had not returned. They did not return them all at once; they came in occasionally; some country negroes had some guns, and they did not all come in at once; they just kept coming one and two and three at a time, until I suppose they eventually all came in. General Anderson came there and made an order for them to be brought in; but they did not do it all at once.

Question. Now has not the fact that these men have banded together so often, and done

so many acts in different portions of your county, and apparently all in the same manner, satisfied you that, to some extent, there has been an organization of this class of men in your county?

Answer. I do not know anything about there being any organization. I suppose those men who did these things of course got together and organized; but as to there being a general organization I know nothing about it; I never heard any man say anything about it.

Question. But I am asking you whether the fact that those men appeared in different places all over your county, and in the same manner, was not evidence enough to your mind that there was an organization among them?

Answer. There was an organization among them, in my opinion. Whoever they were, they must have been organized, I should think; but as to there being a general organization, I have no idea of it—no knowledge of it at all.

Question. All the sober and good people of your county, democrats as well as republicans, have been opposed to all these things?

Answer. O, yes; I can show you a paper which I have in my pocket now, that has a part of a list of the names of five or six hundred men, who met with Colonel Merrill, of our place, and drew up some resolutions to the effect that we, the people of the county, would do all we could, by our advice and counsel, to put a stop to all this thing.

Question. Is Colonel Merrill the man in command of the troops there?

Answer. Yes, sir.

By Mr. POOL:

Question. United States troops?

Answer. Yes, sir.

By the CHAIRMAN, (Mr. POLAND:

Question. When was that?

Answer. A month or two ago; two months probably; I do not know how long; I, may be, can give you the date, if I have not lost the paper, or if the date has not been torn off, [taking a paper from his pocket and examining it.] It has no date; it has been torn off.

Question. No matter about the precise date; you can tell about when it was?

Answer. I suppose that when these resolutions were passed was two months ago, I reckon, may be more; between two and three months.

Question. Have there been any of these acts of violence since that meeting?

Answer. No, sir; none of any consequence; there has been some raiding around the country, but there has been nobody killed since then.

Question. The resolutions adopted by that meeting were published in your paper?

Answer. Yes, sir.

Question. Do you think that has had any effect?

Answer. We hoped it would have some effect.

Question. Do you think it has had?

Answer. I think it has, because they saw that everybody was down on it so much, you know, that I suppose it has had some effect; at least the country is very quiet now.

Question. You say that Mr. Neagle made a speech there last summer?

Answer. Yes, sir.

Question. An incendiary speech; and you say you have understood there were other incendiary speeches made?

Answer. Yes, sir; I heard so.

Question. You said that the men who made those incendiary speeches to the negroes, said that if they could not have things to suit them, or what they wanted, &c., the town would be burned, and that matches were cheap?

Answer. They intimated to them that they could apply the torch.

Question. What was it that the colored people were dissatisfied about; what was it they wanted that they did not have?

Answer. I cannot tell you; I do not know; the colored people did not profess to be so much dissatisfied that we knew of—that I knew of. But I suppose he was there making a strong political speech in favor of the reelection of Governor Scott.

Question. What do you understand the colored people were called upon or advised to demand that they had not got? What was the dissatisfaction with the colored people?

Answer. I do not know that there was any particular thing; their rights I suppose he meant; I do not know what, for I did not hear the speech.

Question. What right do you understand they claimed should be granted to them that they had not got?

Answer. I do not know of any; I did not hear of any particular rights that they had not got. They have the same chance before the law that white men have; they have the right to vote.

Question. In what event, upon what contingency, were they advised to burn the town and do mischief?

Answer. I do not know that Mr. Neagle advised them to burn it; he said they could do it.

Question. Well, did anybody else do so?

Answer. I do not know; they were aroused against the whites from that; I do not know why it was; somebody did it.

Question. What did they claim of the whites that the whites had not granted to them?

Answer. I do not know anything they claimed; you cannot tell, you know.

Question. Are you not a great deal inclined to think that these stories about these incendiary speeches were pretty much all shams?

Answer. No, sir; they were not shams, I don't think.

Question. What would the colored people gain? Upon what theory is it supposed they were going to make anything, or to gain anything, by burning the town?

Answer. I cannot tell you, unless it was to gratify bad feeling; I do not know anything else.

Question. Why should they have bad feeling?

Answer. I do not know; they had been wrought up to it by bad men, I think, because there is a very bad feeling.

Question. I want to get at what they were dissatisfied about, what they had bad feelings about?

Answer. I do not know; I do not know what the men told them.

Question. You do not yourself know anything they demanded that had not been accorded to them?

Answer. Nothing that was lawful and right, that I know of.

Question. Do you know that they demanded anything but what was lawful and right?

Answer. I do not know that they did.

Question. The fact that there have been so many murders and assaults committed within your county within the past year, the perpetrators of which have defied detection, is not that some evidence to you that those things have been done by an organized body of men, with an organized mode of concealment?

Answer. Of course, I suppose that those men who did it were organized. But if there has been any general organization I have never heard of it.

Question. How can you account for the fact that so many lawless acts of violence have been committed, and the perpetrators have utterly defied detection?

Answer. I cannot tell; I suppose it has been that they have been very sharp and particular; for it has all been done in the night-time.

By Mr. BLAIR:

Question. You say that none of the perpetrators of these crimes have been detected, and that no one has been punished for these acts of violence; was not that also the case with regard to the burnings that took place there? Has anybody been detected and punished for the incendiary fires that occurred there?

Answer. No, sir.

Question. Did those fires take place in such a manner as to lead you to suppose that there was some organization for that purpose?

Answer. That is what our people thought; they thought that the burning of those houses was by a regular organization; they supposed it was done that night this volley was fired in front of Rose's Hotel; that the league had organized a party for the purpose of burning.

Question. And they had arms furnished them by Governor Scott, had they not, at the same time these things were going on?

Answer. Yes, sir; they had the arms then in their possession.

Question. At that time?

Answer. Yes, sir; they had the arms in their possession at that time.

Question. All these facts, the burning of houses and barns, the arms placed in the hands of the negroes, the speeches of the character made by Neagle, all those things were calculated to alarm and disturb the people in your region of country?

Answer. It appeared so; it seemed to be so. I forgot to state the fact that when one of the gin-houses about four miles north of our place was burned it was supposed that the party who burned it shot into a man's house there. Three or four tracks were found going over toward the house and down out there; they fired into a man's chimneys with guns; I do not know what kind of guns, but there was a big hole made in a chimney close to the place where they burned the gin-house, whoever burned it. Of course I do not know anything about who burned it; I only know that it was burned, and some party fired into this man's chimney.

Question. The chairman has interrogated you as to the purposes or the motives that these people had for making these incendiary speeches. I understood you to say that they were made by white men, such as Neagle.

Answer. Neagle, as I understood, made some very incendiary speeches; I did not hear any of them; I just give it to you as I heard it.

Question. Well, it could not have been to secure any rights for the negroes, because they had all the rights that white people had; it could not have been for that that these incendiary speeches were made?

Answer. They had all their rights.

Question. Was it supposed to have had anything to do with the administration of State affairs by Governor Scott and Neagle, and other office-holders, who were intent upon keeping up the bad blood of the negroes against the white people, in order that they might continue to carry on their schemes of spoliation?

Answer. That was the idea; that was the general impression; that it was to do everything and to say everything they could to the negro to make him have the worst possible feeling against the white man; that was the impression.

Question. And in the mean time they would avail themselves of the opportunity to oppress and rob the whites, as they have continually done in that government?

Answer. I suppose that was the idea.

Question. Is that the impression made upon your people?

Answer. That was the impression made upon our people.

Question. Do you know Neagle at all?

Answer. Yes, sir; I know him when I see him; I am not acquainted with him.

Question. What is his character?

Answer. Well, his character is not very good with us.

Question. He holds an office under the State government?

Answer. He is comptroller general of the State.

Question. Did any of these crimes of which you have spoken, crimes committed against black men, take place after the election?

Answer. Oh, yes, sir.

Question. All since the last general election?

Answer. If I remember right, all except one has taken place within this year.

Question. Was it alleged in any instance that those men were whipped for their political views, or their political opinions?

Answer. Well, I do not know; but I have heard it said that that was what they said.

Question. Who said so?

Answer. The negroes, some of them; I think that in a few instances where they have been whipped I have heard them say that they were told it was for that, and for crimes they had done; for stealing, you know, for advising badly, for giving bad counsel to their friends and neighbors. The negroes would tell that themselves, you know. That is what I have heard them state, a few of them. I have heard of a few instances of that sort, I think. I want to tell what I know, as near as I can, and what I have heard.

By Mr. POOL:

Question. At what time did that burning occur, when the guns were fired in town; what was the date of that burning?

Answer. It seems to me I can give you something near the date of that; I think it was in January. The burning that happened out in the country, you mean.

Question. About the town there, at the time the guns were fired.

Answer. I think I have got some memorandum here. [Taking a piece of paper from his pocket and examining it.] I think it was somewhere from the 20th to the 25th of January; that is my recollection about it.

Question. How long previously to that had these negroes been killed by disguised men, that you spoke of?

Answer. Previous to that? They were not killed previous to that, only the man Tom Roundtree. He was killed, as I said before, in the last days of November. The other negroes were killed after that, I think; three of them.

Question. How long previous to that fire were the negroes whipped, that you spoke of?

Answer. Not very long. I do not think I had heard of but one raid in the neighborhood anywhere about there. There had been some talk of there being some few raids away out in the western part of the district, about Broad River, by parties supposed to have come from Union County. There was a raid upon some negroes for these guns only a few days before this burning, and I understood that one of the negroes received a pretty severe lick on his head, one of the negroes that had those guns; and in a day or two, or two or three days after that, the burning was commenced. I heard this raid was near our town, three or four miles off, probably.

Question. And one man was whipped?

Answer. I did not hear of any man being whipped, except this one that got a lick on his head. They took some guns away from them; the negroes said so, I understood.

Question. Had there been any negroes whipped before this burning?

Answer. Out in the western part of the district, twelve or fifteen miles off, I think.

Question. Was it not understood that this burning was in retaliation for that descent upon the negroes by bands of disguised men?

Answer. We supposed it was, I think.

Question. Had you known of any instance of incendiarism by negroes previous to that time?

Answer. I know that these houses were burned in Yorkville, and I know that Mr. Allison's gin-house and saw-mill were burned. Who it was that burned them I cannot say; I cannot say that negroes burned them.

Question. In regard to the houses burned in the town; you say there was a dispute about that?

Answer. Yes, sir; there was a difference of opinion about that.

Question. Then the only other case of burning you heard of—

Answer. There was another case out in the country, after the burning in town.

Question. Mr. Allison's buildings?

Answer. Mr. Allison's saw-mill and gin-house; that was some time late in the fall. I do not think there had been any raids made around in the country anywhere when that took place.

Question. Was it known that negroes burned Mr. Allison's buildings?

Answer. It was not known who burned them. I heard men talk and say they had their suspicions that they were burned by a white man.

Question. You had, then, heard of no burnings in the county by negroes, until disguised white men had made those raids and disarmed some, and some had been whipped in the western part of the county?

Answer. No burning except those I have stated.

Question. I said "burning by negroes."

Answer. I say I do not know; some men alleged that it was done by negroes. But it was supposed by a great many—I think people still think so—that Allison's place was burned by a white man, or by some white men.

Question. You know of no burning, except the one where guns were fired that you have named, that is generally supposed and conceded to have been done by negroes?

Answer. No others since that.

Question. I mean up to that time.

Answer. No, sir; I do not remember of any other up to that time.

Question. How many negroes in all do you suppose have been whipped in your county during the last eight months?

Answer. I cannot tell.

Question. As many as fifty?

Answer. I do not think they commenced as far back as eight months ago.

Question. I said within eight months.

Answer. I could not tell you, indeed.

Question. As many as fifty?

Answer. No, sir; I think not; but I would not be surprised if there had been two or three dozen.

Question. And nobody has been punished for it?

Answer. Not that I have heard of.

Question. Is it a matter of wonder to you that there should be acts of retaliation when men have been taken at night from their beds and their families and scourged by bands of disguised men?

Answer. Well, sir, I do not know as to that; I suppose that a man would feel very much like retaliating.

Question. Is it not calculated to produce retaliation?

Answer. Yes, I think so.

Question. If there have been any efforts on the part of persons to get up ill feelings between the races, are not those efforts rather seconded by these outrages committed on negroes?

Answer. It would be calculated to make the breach still wider; it may be calculated to do that. I do not think we would have had any difficulty in our county any way but for bad white men.

Question. You say that in the case where some negroes disguised themselves they have been caught?

Answer. A part of them were caught; not all.

Question. And in the case where a colored woman got some of her neighbors to help her whip her husband, they putting on disguises, they have been caught?

Answer. So I was told by a gentleman, as I came along on the train.

Question. How can you explain the fact that where negroes disguised themselves they have been caught, and yet in the many instances where white men have disguised themselves they have not been caught?

Answer. They were not so sharp.

Question. Not so sharp?

Answer. I think not.

Question. You do not think it so safe for the negroes to imitate the Ku-Klux?

Answer. Not very.

Question. Has there been as much effort made on the part of your community to arrest the white men who have committed those crimes in disguise as there has been to arrest negroes who have disguised themselves?

Answer. I do not know that there has been. I have never heard of any effort being made on the part of the community to arrest in this last case, because I did not hear of it until I was on my way here; and in the first case, where it was said the negroes broke open a store, it was said that there was an armed band collected in that neighborhood; that they had threatened to get up a party and rob all over the country. There was that sort of a report, and the whites were very much frightened; and about this time they robbed this store; and there was a party went down to where there were some fifty or sixty women and children, who had been carried to one house for fear they would be killed by the negroes, but it seems that nobody appeared. I never heard of any negroes appearing at a place where they thought they would be attacked.

Question. They got up a panic?

Answer. Yes, sir; a sort of panic.

Question. Was there a general rising up of the community?

Answer. I understood that in that neighborhood there were a great many men who went to that place to protect them, in case such a thing should take place.

Question. Was there a pursuit of the offenders who had broken open and robbed the store?

Answer. It was after that, you know.

Question. Nothing came of that?

Answer. No, sir; they were not attacked at all.

Question. Did you ever learn whether there was any reasonable foundation for that panic?

Answer. All I can tell you is, that it got up some way or other; it seems to me, my recollection is, that some negro let it out in some way. Whether there was any real foundation for it or not, I do not know.

Question. Have you ever known of any democrat in your county being taken from his house and scourged by disguised men?

Answer. No, sir; not that I can remember at this time, unless this man White was a democrat. I do not know what his political principles were; I do not think, from what I could hear, that he was interfered with for that at all.

Question. You said there were other cases of white men being whipped?

Answer. Yes, sir; there were some others; I cannot remember now who they all were; I can only remember two of them.

Question. Have you ever heard of negroes disguising themselves and going to a white man's house at night and taking him out of his bed and scourging him?

Answer. No, sir; not unless they were negroes who did all these things; I cannot tell you whether they were negroes or white men; I do not suppose anybody else knows but the parties themselves. There were two negroes who told me, not more than three weeks ago, that some time previous to that a party came to their house, but did not interrupt them in any way; and that they verily believed they were mixed—part whites and part blacks. Whether they were mistaken or not, I do not know; I inquired of them very particularly about it. The family of one of the negroes lives on my plantation; he is a very good negro—a very good man; works very well for me. He knew I had always said I did not want the Ku-Klux about my place; that I opposed everything of that sort; that I wanted to be let alone. He told me that some six or eight men, ten or twelve of them, or something of that kind, came to his house one night disguised, and also went to the house of another negro who lives not more than five or six hundred yards from my plantation, but they did not abuse them; but both of the men told me that they verily believed that was a mixed party—that there were negroes and whites in the party; and they said they thought they knew who they were; they were not abused, they said.

Question. Did they say whether they were republicans or democrats?

Answer. They did not know.

Question. I thought you said they knew them?

Answer. They said they thought they knew them, but they would not tell me who they were. I asked them who they were, but they said they did not want to tell; that they did not want to have any fuss, but wanted to be quiet and have no trouble.

Question. What did the crowd say to them?

Answer. I do not know what they said; they did not say much, I think; perhaps they made one or two of the old man's boys dance a little; I just suppose it was a drunken crowd of bad young men.

Question. You heard of that crowd doing no damage to anybody?

Answer. No, sir; except to whip one negro. I heard they gave one negro a slight whipping that night; that is what I heard.

Question. Was any effort made to pursue and expose and prosecute that crowd?

Answer. Not that I know of.

Question. You spoke of Governor Scott having pardoned prisoners, as you had heard. How many have been pardoned in your county?

Answer. I do not know the number; I cannot tell; I never paid any attention to that. There have been several, but I do not know how many.

Question. Do you know whether in each case there was a petition signed by the citizens sent to the governor?

Answer. I do not.

Question. Do you know whether persons who had negroes working on their plantations, who were convicted and sent to the penitentiary, frequently petitioned the governor to let them out, so that they could secure their labor?

Answer. I do not know of any case of that sort.

Question. Not being able to tell who they were who were pardoned by the governor, are you able to say whether or not they were his party friends?

Answer. Well, sir; I supposed they were, for I believe all the negroes in the county were his party friends, except ten or fifteen; I have always heard so.

Question. They were negroes whom the governor pardoned?

Answer. Yes, sir; negroes.

Question. Do you think the colored men in that county were safe in their homes and houses when these things were going on there, two or three months, or three or four months ago?

Answer. I think that all the good colored men were safe.

Question. All of the good colored men?

Answer. I think so. I do not think hardly anybody would have interrupted any good colored man, a man who stood well in the opinion of the people, who was thought to be pretty honest, and who attended to his business. So far as I was able to learn, it was the bad men who were molested.

Question. Were bad white men safe from such visitations?

Answer. They were not all safe, I don't reckon.

Question. It turned out that they were not all safe, because some were whipped?

Answer. Yes, sir.

Question. But you say none were whipped that were democrats, that you know of?

Answer. Not that I know of.

Question. Were bad white democrats safe, then?

Answer. No, sir; I do not think they were. I think if a white democrat had been living with a negro woman he would not have been safe.

Question. You mean if he had been bad in that respect?

Answer. Yes, sir, and in many other respects, for we have bad democrats in our country as well as any other sort of people.

Question. I suppose bad men belong to all parties in all countries?

Answer. Yes, sir, I reckon so. I am satisfied we have some with us who would vote the democratic ticket; but they are very bad men.

Question. Now, to refer a little more specifically to what was drawn out by the chairman; is it not remarkable that a body of bad men, whom you designate as the scum of society, who have no property, and no interest in the well-being and good order of society, should organize and take upon themselves to go around and punish bad men, and in doing so to commit murder, and thus run the risk of being prosecuted and hung? Is not that very remarkable conduct on the part of bad men?

Answer. Yes, sir; it is horrible conduct; but such is the fact; they have done these things.

Question. I could perhaps understand how men who were very good men, who were anxious to preserve the peace and good order of society, might go out and punish bad men. But I am not so well able to understand how bad men should band themselves together for the purpose of putting down crime and punishing criminals, at the risk of being hung for the murders they commit in so doing.

Answer. I cannot tell you that; I do not know why.

By Mr. COBURN:

Question. I hold in my hand a part of a newspaper called the Yorkville Enquirer, the same to which you referred some time ago. Did you bring that paper here with you?

Answer. No, sir.

Question. Is it a paper printed in Yorkville, in your State?

Answer. Yes, sir.

Question. Where did you get this?

Answer. Mr. Avery gave it to me.

Question. Over the market quotations I find the date May 24, 1871. Is that about the date of this paper?

Answer. I suppose it is.

Question. You alluded to some statement signed by citizens of your county, and which was published in this paper, in relation to insubordination and disorders in that county?

Answer. Yes, sir; that is the call of the meeting.

Question. A part of that is torn off here?

Answer. Yes, sir.

Question. The most of it is torn off?

Answer. Yes, sir; Mr. Avery handed it to me the other day, but I never opened it till now.

Question. I will read a little of what is left of this, just above the names:

"As members of the community whose common interest is imperiled, we pledge our individual efforts and influence to prevent further acts of violence, and will aid and support the civil authorities in bringing offenders to justice. We respectfully solicit a hearty coöperation of our fellow-citizens throughout the county, in our efforts to preserve the peace and to prevent further acts of violence and domestic disorder."

Then there follow the names of some hundred of citizens of your county?

Answer. Yes, sir; it is published in their names.

Question. I will read from an editorial in this paper:

"THE PEOPLE MOVING.—We publish, this week, a paper signed by a goodly number of the citizens of York County, urging it as a common duty for every citizen to discourage all acts of violence; pledging their individual efforts to maintain order and sustain civil authority; and soliciting the coöperation of their fellow-citizens in their efforts to prevent domestic disorder. We learn that other papers of similar purport are in circulation in various parts of the county, and we trust this action, inaugurated by the best men of the county, will meet the hearty support of the people, and that none will withhold their names from the papers, or withdraw the least influence they could exert in restoring order and bringing about a better state of affairs, and promoting better feeling among all classes of citizens. We will cheerfully publish the names of all who may sign these papers, and request persons who may have charge of procuring signatures to forward them to this office by Monday next.

"In sections where no paper has been presented for signatures, those desiring to aid in promoting the desirable object sought can copy the document published in this number of the Enquirer, procure signatures, and forward to us by the time above mentioned.

"There is not a more law-abiding people in the land than the citizens of York County, and in vindicating themselves before the world, we feel assured they will likewise observe inviolate any pledge they may make."

That is an editorial in this paper?

Answer. I suppose it is.

Question. Have there been other papers than this circulated and signed in that county?

Answer. They were papers just got up in this meeting.

Question. This was got up in the meeting?

Answer. I suppose so; I was not present when it was got up; I was not at home.

Question. When was the meeting held?

Answer. Some time previous to that.

Question. How long?

Answer. I do not know.

Question. Was the meeting composed of all white men, or were there black men there?

Answer. I suppose it was of all parties.

Question. Are there any names of black men in this list?

Answer. There are a great many names here of persons I do not know.

Question. I do not want you to look at all of them; but so far as you can tell from a brief examination of this list, do you see the name of any black man here?

Answer. [Looking at the list for a moment.] I do not see here the name of any black man I know.

Question. Is this a democratic paper or a republican paper?

Answer. I think it is a democratic paper; it is a very mild paper.

Question. I will read, as showing the state of society there, a card which I find printed in this paper:

"A CARD.—The undersigned, residing in the vicinity of Concord Church, has reason to believe that unjust reports have been circulated to his prejudice as a peaceable and law-abiding citizen. He utterly denies that he has, by word or deed, encouraged any spirit of lawlessness, and refers to his substantial neighbors for the truth of this statement.

"ANTHONY MASON.

"MAY 25."

Do you know Anthony Mason?

Answer. No, sir.

Question. Are there many such cards printed in your paper?

Answer. I have seen a few of them.

Question. Do you know what is the object of publishing such a card as that?

Answer. I do not know.

Question. To prevent his place from being visited?

Answer. I do not know what object he had in putting it in there, unless he was afraid of being visited by somebody. He is a man I do not know at all.

Question. Then you say such things are done down there?

Answer. I have seen a few of them.

Question. I will read another card I find in this paper:

"A CARD.

"Mr. EDITOR: Please announce in your paper my withdrawal from the radical party, and oblige,

"Yours, respectfully,

"ALEX. STURGIS.

"ROCK HILL, May 25, 1871."

Do you know Alexander Sturgis?

Answer. No, sir; I do not know him.

Question. Are there many announcements of that kind made in this paper?

Answer. I do not think there have been many; some that I know, and some that I do not know.

Question. Who did you say gave you this paper?

Answer. Mr. Avery gave it to me.

Question. For what reason?

Answer. I do not know. He handed it to me the other day when he left.

Question. Was Avery ever accused of belonging to the Ku-Klux?

Answer. Not that I have ever heard of; I have never heard of it.

Question. Does he live near you?

Answer. He lives in the same town that I live in; he is a merchant, and a farmer too.

Question. In your testimony in relation to the colored people of your section, you said that they were hard to manage?

Answer. I said some of them were hard to manage.

Question. In what respect?

Answer. To get work out of them, you know.

Question. How is that?

Answer. I do not know how it is; they do not want to work, I reckon; I do not know what else.

Question. What do they do?

Answer. Some of them work pretty well; but the great majority of them do not work well.

Question. I wanted to know how you manage them to make them work?

Answer. We have to manage them the best way we can; we coax them and pay them; but they are people that will not bear scolding much, I can tell you—not with us.

Question. You said that you had no idea that there was an organized band of Ku-Klux in your county; and then, afterward, you said you had no idea that there was "a general, organized band." What do you mean by a "general, organized band?" How extensive would it have to be to be a general, organized band, in your opinion?

Answer. It would have to be pretty extensive.

Question. How extensive?

Answer. I cannot say how extensive.

Question. You are testifying to a fact now.

Answer. I thought the question the gentleman asked me meant that it extended over the whole country.

Question. How far over the whole country—over the whole of the United States?

Answer. No, sir; but in a large section of country.

Question. How large?

Answer. Say, in two or three States, or a State; I do not know that I could confine it to any particular section of country.

Question. You said, in relation to negroes voting the democratic ticket, that you had heard of some being threatened for voting that ticket. Now, from whom did you hear that they had been threatened for voting the democratic ticket?

Answer. I heard some of it from negroes themselves, and some of it from white men.

Question. When?

Answer. I heard that last year.

Question. How many?

Answer. I did not hear many, for there were but few who attempted to vote the democratic ticket.

Question. Can you say how many?

Answer. I heard some one or two negroes say that they had been threatened if they should vote the democratic ticket.

Question. Did they say they wanted to vote the democratic ticket?

Answer. Yes, sir.

Question. Did they vote it?

Answer. One of them, I think, did; probably both.

Question. Did they suffer any harm because they did so?

Answer. No, sir; I do not know that they did.

Question. You said something about patrols. What do those patrols do?

Answer. Where? In the county?

Question. Yes.

Answer. I do not think I said anything about patrols in the county at all, except that there was a patrol of men got up in our town, at the time we feared we would be burned, to watch the town at night.

Question. When was that?

Answer. Last winter.

Question. How long did they serve?

Answer. I do not remember how long they were out.

Question. About how long?

Answer. I cannot tell.

Question. Was it a week, two weeks, three weeks, or a month?

Answer. I do not know; I cannot tell the length of time.

Question. Did you ever see them?

Answer. Yes, sir.

Question. How many were there of them?

Answer. I saw five or six.

Question. How many were there in all?

Answer. I do not know.

Question. How large is your town?

Answer. About twelve hundred or fifteen hundred inhabitants.

Question. How were these patrols paid?

Answer. I do not know that they were paid at all.

Question. Were they volunteers?

Answer. Yes, I think so.

Question. What did they do?

Answer. Just walked the town all the night.

Question. The whole night?

Answer. I suppose they did. I was not up to see them after 8 or 9 o'clock; I do not know what they did after that.

Question. How often did you see patrols about?

Answer. I saw these young men, special men, passing about, who were just out to watch the town and guard it.

Question. Did you ever have patrols there before?

Answer. Before that time?

Question. Yes, for any purpose?

Answer. Yes, sir; I think some years ago we had them.

Question. How long ago?

Answer. We used to have a town watch there. I forget how long ago it was; before the war.

Question. Did you always have a patrol before the war?

Answer. Not always; we had it sometimes.

Question. What was the occasion for it?

Answer. I do not know. We had a town watch; some men used to go out, a regular man or two, who went out and staid all the night.

Question. Just a man or two to stay out and watch over the town all the night?

Answer. Yes, sir; one, or sometimes two.

Question. Were there any alarms in your town about the rising of the negroes?

Answer. Not in our town.

Question. Were there in your State?

Answer. I suppose there have been.

Question. Has there not been an apprehension, from year to year, as far back as you can remember, in relation to the rising of negroes, and dangerous crimes committed by negroes, in your country? Is not that a matter of history?

Answer. I suppose there have been some fears of it from time to time; I have heard persons talk about it.

Question. Since your childhood?

Answer. Since my childhood, since I was a boy; I believe that has been the case in our State.

Question. And in all the slave States?

Answer. And in all the slave States, I expect, to some extent, though I never heard of any rising of the negroes in our State.

Question. I am not asking about the rising of the negroes in your State.

Answer. I have heard of them in other States.

Question. And very often those apprehensions are felt about Christmas and New Years?

Answer. I do not know that they were felt any more about those times than at other times; I do not remember that they have.

Question. You say the negroes were armed for a while; how long did they have those arms in their possession?

Answer. I think they were put in their possession some time last year; I do not know exactly what time; I do not remember; they had them a great many months.

Question. Have they given them up? Were they taken away from them?

Answer. Yes, sir; they have given them all up now.

Question. Did they in any way make any resistance, or refuse to surrender them?

Answer. They refused at first, I think; did not want to give them up.

Question. Did they resist by violence?

Answer. No, sir; they did not resist by any violence at all.

By the CHAIRMAN, (Mr. POLAND:)

Question. Will you state about what time the governor ordered the arms to be surrendered?

Answer. I think it was along toward the last of January that the arms were taken up; I think it was; that is the best of my recollection.

By Mr. COBURN:

Question. You said something about those disguised men visiting groceries. Did they not visit the groceries for the purpose of suppressing hard drinking and intemperance?

Answer. All that I heard about it was that they probably visited some two or three of those little groceries in our county; I never heard of their visiting more than that. I heard that the object was to stop the men from buying property that they supposed was stolen by somebody.

Question. Had it any connection with rowdyism or intemperance?

Answer. No, sir; I understood that is what they said; I think that is what the parties told the owners.

Question. Then you swear they were not temperance societies riding about the country?

Answer. I do not know whether they were or not.

Question. Is that your impression?

Answer. I have no opinion about that; I do not know; I cannot tell who they were, whether they were temperance men or not. I do not know whether they drank when they went there or not.

Question. You cannot tell whether they went there for the purpose of suppressing trade in cotton, or anything of the kind?

Answer. Only what the owners of the establishments themselves said.

Question. What did they say?

Answer. That that is what they told them.

Question. Told them what?

Answer. About buying produce from negroes.

Question. Did they want to prevent them from buying produce from whites?

Answer. From anybody who would carry it there in the night; that which they supposed was stolen. I suppose that they thought—I do not know what they thought—but I suppose they thought if it was carried there at the dead hour of night, whoever did it, white or black, might not have come by it very honestly.

Question. The object was to prevent these people from purchasing produce at night?

Answer. I suppose so; that is what I understood.

Question. Nothing else?

Answer. Nothing else that I heard of.

Question. Was it the fact, or did you know anything about it, that quantities of produce had been purchased at night?

Answer. I do not know; it was all hearsay to me.

Question. What was all hearsay?

Answer. That they were receiving it; there was that sort of report.

Question. What had they been receiving?

Answer. Cotton and corn.

By the CHAIRMAN, (Mr. POLAND:)

Question. About what time was it that these whippings took place?

Answer. In our county?

Question. Yes.

Answer. Well, sir, I think it commenced about the 1st of January; that is my recollection.

Question. And continued up to what time?

Answer. Well, up to within the last—I do not exactly remember the last raid that I heard of; I do not know how long; a good many weeks back, though.

Question. They continued along into the spring?

Answer. Yes, sir.

Question. Was there any case of whipping as early as the fore part of January?

Answer. Well, sir, I do not remember; it is possible there might have been away out on the western side of the county, near the line of Union County.

Question. It began in the winter some time, and continued until along in the spring?

Answer. Yes, sir; I think it possible there might have been some of it as early as the 1st of January; I cannot recollect, though.

By Mr. POOL:

Question. What general was that who was collecting the arms from the negroes?

Answer. General Anderson.

Question. When did he do that?

Answer. I think it was some time between the 20th and the last of January; that is my recollection; but I may be mistaken about that. I think it was some time along about the time—I am pretty certain it was—that these burnings had taken place; and they were some time about the 20th or the 25th of January.

Question. Did most of the whippings occur after that time?

Answer. Well, I do not remember; I think they did, though, but I am not sure.

Question. You think that most of the whippings occurred after the disarming?

Answer. After the burning.

Question. After the disarming?

Answer. Well, the burning and the disarming were all about near the same time. The disarming of the negroes was in a few days after the burnings took place.

Question. You said there had been only a few cases of whippings before the burning occurred?

Answer. Right in our immediate neighborhood; there had been some out twelve or fifteen miles away, on Broad River, along on the Union line. It was alleged out there that it was the Union County people who did it; we did not know who did it.

Question. You think the great bulk of the whipping was done after the burning and the disarming?

Answer. I think the most was done after the burning; and the disarming was about the same time.

Question. Is General Anderson a United States officer?

Answer. No, sir; I think not.

Question. Who is he?

Answer. I think he is a general of the State militia.

Question. He disarmed the negroes by order of the governor?

Answer. I suppose so.

WASHINGTON, D. C., July 8, 1871.

RICHARD B. CARPENTER sworn and examined.

The CHAIRMAN, (Mr. POLAND.) As this witness has been called by the minority of the committee, Mr. Beck will please to commence his examination.

By Mr. BECK:

Question. State to the committee how long you have lived in the State of South Carolina; what official positions you have held there, and to what you have aspired?

Answer. I have resided in South Carolina since the beginning of 1867. I held the office of register of bankruptcy from January, 1867, till December, 1868. I was then elected, by the legislature, judge of the first circuit, and I resigned from the office of register and held the office of circuit judge until July, 1870; I was then put up by the reform convention for governor of the State, and made the canvass of the State for that position.

Question. What portion of the State of South Carolina did your circuit embrace?

Answer. Do you mean as judge?

Question. Yes, sir.

Answer. The two counties of Charleston and Orangeburg.

Question. To what extent did you canvass the State of South Carolina, while candidate for governor, and what were your means of information relative to the condition of affairs in that State?

Answer. I canvassed every county of the State very thoroughly, except the county of Horry. I became thoroughly acquainted with the situation of the people of both colors.

Question. State now what is the general condition of the State of South Carolina, as far as regards the protection of life, liberty, and property therein; if there are discontents or outbreaks among the people, give the causes of them as well as you can, without being specifically questioned. Give the present condition of the State and the causes that have led to that condition.

Answer. I think there is a great deal of discontent in the State. There has been more perhaps than at the present time. There have unquestionably been many cases of violence. I have no doubt of the existence, in eight or ten counties, of some secret organization, whose name even I do not know; of course I never belonged to it, and know nothing of its workings, except what every one knows who lives in the country.

Question. I would suggest to you just here that our rule has been for a witness to speak of what he knows from such information as he relied upon, though he may not have personal knowledge himself of the facts. Therefore you will have the privilege of so speaking.

Answer. Such information as morally convinces me of the truth?

Question. Yes, sir; we have been taking testimony to that extent.

Answer. Well, I believe such an organization has existed in several counties of the State, perhaps eight or ten; I do not think it has been more widely disseminated than that, though I am not certain of it. I think the causes of the existence of that organization in South Carolina are purely local; they grew out of the condition of things that has existed there since the reorganization of the State; the local government of the State in all its departments and ramifications. At the commencement, when the State was reorganized, in 1868, the people of the State took very little part in the elections. The elections were carried by the colored people, and the persons who had emigrated from the North and gone there managed it exclusively. The first legislature that met in South Carolina began its career by largely increasing the State debt, without there being anything in the State to show for that increase. I can only give in round numbers what was the State debt of South Carolina at the time of the inauguration of Governor Scott in July, 1868; it was about six millions of dollars. The legislature increased it in the first place by an act authorizing the issue of \$500,000 in bonds, to take up certain bills receivable, as they were called. They then passed an act authorizing the governor to borrow a million of dollars, to issue the bonds of the State to pay the back interest upon the public debt. They then passed an act to fund the bills of the Bank of the State of South Carolina, and bills were funded to the amount, I think, of twelve hundred and forty-six thousand dollars. They then passed an act authorizing the governor to borrow a million of dollars for the relief of the State treasury. They passed two acts, by the two acts authorizing the issue of bonds for \$700,000 for the land commission, for the purpose of buying lands and selling them to the colored people. With these additional expenditures of money, all these bonds having been issued, as I believe, not a mile of railroad has been built in the State, not a mile of canal, and up to last November not a school-house had been erected in South Carolina from our State resources. The Freedmen's Bureau had built a large number of school-houses there that had been occupied, but none have been built by the State, although large appropriations have been made for school purposes, and the per capita tax has also been devoted for that purpose. Besides this increase of the indebtedness of the State, the general conduct of the legislature was very unsatisfactory to the people. It was very well understood at Columbia and throughout South Carolina that no bill, having any other purpose than a mere public law, could be passed in that legislature without bribery. The governor, in his testimony before the joint committee on the Blue Ridge Railroad, has expressed it very strongly. His statement was that if the Saviour came down to that legislature and wanted to pass a bill for reform, unless he bribed the legislature to do it, they would crucify him; they would not only reject his bill, but they would crucify the Saviour. I do not pretend to indorse that statement precisely, but my belief is that of every other man in South Carolina, of any intelligence, that no act was passed there, other than of a purely legal character, that the legislature was not bribed to pass. I make that statement not only from general information, but from the confessions of a large number of parties interested, the lobby members and the members of the legislature themselves; I do not think they ever made any secret of it. Another cause of discontent was the lavish pardons that were issued by the governor. Men of the worst character, men who had committed the worst possible crimes, were pardoned and turned loose without any application from anybody, as far as was known; from no responsible parties, certainly; no application from either the judge or solicitor. They were pardoned and turned loose to prey again upon the community. Another cause of discontent was the character of persons appointed to fill offices under the executive. The constitution of South Carolina gives the executive vast patronage, or at least the legislature have assumed it, whether the constitution gives it or not. All the county auditors, county treasurers, trial justices—as they are called there—justices of the peace, and most of the local officers are appointed by the governor. As a rule they are utterly incompetent, and as a rule they are utterly corrupt. Another cause of discontent was the organization and arming of the militia of the State, and the furnishing them with ammunition. The militia were confined to colored people. Numerous applications were made by white companies to be received into the State militia, but they were all rejected. Some twenty thousand colored people in different parts of the State were armed with Winchester and Springfield and other rifles, and near the time of election

ammunition was distributed to them, as if upon the eve of battle. They were sometimes very offensive and did a great deal of mischief. It was very offensive to the white people that these colored people should be armed, and sometimes depredations were committed by them; that was a serious cause of discontent. Another cause was the election law itself, and the manner in which it was executed. I do not remember the number of sections in the statute. It is a long act, and from the beginning to the end no penalty is provided for any violation of its provisions. That act places the whole power of conducting the elections in the hands of the three commissioners for each county, to be appointed by the governor, without confirmation by the senate. These commissioners, thus appointed, were required, in the first place, to designate and fix the places of voting. They appointed the managers to receive the votes—to have the ballot-boxes at the polls and receive the votes. The law then required the managers, within three days after the election, to return these ballot-boxes sealed up to the commissioners. The commissioners were allowed by law ten days to count these ballots and to make their returns of the persons elected. They began their career as commissioners by being very generally themselves candidates for office; and they had to decide whether they were elected or their competitors. Before the appointment of the commissioners, however, the executive committee of the reform party requested Governor Scott to appoint one reform commissioner for each county. That he declined to do, and, so far as I am apprised, he appointed commissioners only from his own party and his own friends. These commissioners commenced operations by fixing the voting places upon the banks of rivers and upon the sea-coast, where the colored population is very dense; while further back from the rivers, and along the upper part of the State, the white population predominates, but is very scattered. As a rule, the commissioners fixed the voting places to accommodate the colored people, and to be as far off and inconvenient for the white people as they could. In certain counties the white people would have to travel forty miles to the nearest precinct to vote. Then it was proposed to the executive committee of the republican party to have a committee of each party remain with the ballot-boxes and see that they were not tampered with. This they declined to do, and, except for the city of Charleston, they kept these ballot-boxes in their private houses, from the time of the election until the time they made their returns. That the ballot-boxes were stuffed after the election is no longer a matter of opinion. In some of the counties it has been a matter of judicial investigation. For instance, in the county of Beaufort there was a trial of the commissioners for that county, charged with stuffing the ballot-boxes after the election. The trial was before his honor Judge Bond, of the circuit court of the United States. The jury was composed of an equal number of black men and white men. They found the defendants guilty, and Judge Bond sentenced them to the penitentiary for two years each. In counties where it was utterly impossible there should have been a majority for Governor Scott, in my opinion the ballot-boxes were stuffed, the record falsified, and the will of the people entirely thwarted. I cannot suppose that a law of that sort was made for any other purpose than to keep the party in power, to prolong their power, whether the people voted for them or not. For instance, in the fourth congressional district, represented in your House by Mr. Wallace, the commissioners' returns make him elected by some three or four thousand majority, I think. Now, judging from a very active and thorough canvass of the whole country, and from information of men of all parties generally, I do not think he could have been beaten there by less than six or seven thousand votes. In the county of Chesterfield, where the white population largely predominates, where the reform senator was elected by a handsome majority, the commissioners returned to the lower house two members, as elected, who were friends of Governor Scott, and the house seated them. I think it was universal with the republican papers in the State that they denounced it as an outrage; these men never could have and never did have a majority. The Charleston Republican and the republican paper of Columbia both very severely denounced the action of the house, particularly the Charleston Republican. I do not pretend to state what the opinion of the people was as to the real result of the canvass; but it was the general opinion throughout the State, after the election, that the ballot-boxes had been tampered with throughout the State, and the will of the people entirely disregarded. The legislature elected in that canvass then took their seats, and they proceeded at once to follow out the line of their predecessors. Bribery was the general order of the day to secure the passage of anything. They had some very large jobs in relation to railroads, that were carried out very much to the disgust of the people who have to pay the taxes, and who have any regard for public morality. The first legislature passed an act guaranteeing four millions of dollars of bonds for the Blue Ridge Railroad, and reserving a statutory lien upon the road and its franchises, and its running stock, and everything of the sort, for the payment of the four millions of dollars. The same legislature passed an act guaranteeing about two millions of dollars of bonds for the Greenville and Columbia Railroad, a road already running. Last winter the legislature passed an act relieving both of these roads from their liability, so far as a mortgage was concerned, canceling the mortgage in favor of the State, and authorizing them to put a first mortgage bond upon their road.

Question. Thus releasing the lien of the State?

Answer. Thus releasing the lien of the State entirely upon the two roads. Those two liens amount to about six millions of dollars. The Blue Ridge Railroad had only about twenty-nine or thirty miles of road constructed. The estimates of the engineers are that it will require, in addition to the four millions of dollars guaranteed by the State, some four or five millions more to complete it. It runs through a mountainous country from Anderson, South Carolina; to Knoxville, Tennessee. That of course is assuming the debt by the State, for it is impossible that the road can pay it and finish the road. The State for two years has been paying the interest on the bonds of the road guaranteed by her, is doing so now, and has been doing so since the war, and I think she did so before. That has been the general character of the legislation of South Carolina. In addition to that, there have been a great many outrages perpetrated in South Carolina, other than by Ku-Klux, as they are called. Last summer the Loyal League, headed by those persons who controlled the State government, were very efficient in mischief. During my canvass, I suppose that half a dozen meetings were broken up by hostilities commenced in every instance by colored persons, and as I believe, being on the ground, at the instigation of certain white people.

Question. Do you mean meetings of your political friends?

Answer. Yes, sir; I mean meetings where I was advertised to speak, and some meetings where both parties were advertised to speak and had agreed upon a joint debate. We agreed upon a joint debate at Chester court-house. Mr. Attorney General Chamberlain made a speech and I was to follow—other speakers had preceded—I was to conclude the debate. There was known to be a great deal of feeling and excitement there, and it was agreed between the different committees there that there should be no disturbance, that no speaker should be interrupted; for there was some fear of bad blood. I had not been speaking five minutes, and certainly was saying nothing offensive to anybody, when I was interrupted by the chairman of the Scott committee with a question that I answered. Immediately he and two or three others began to throw rocks; one of them came up on the stand and knocked down a man who was standing by my side; I was not hurt. There was a general scrimmage, the people trying to get out of the way. I saw no white man strike back, nor throw anything back. There was a man shot the same day by a colored man. Substantially the same thing occurred in three or four other places. I never saw a white man arrested; they did not arrest at all. I think that the cause of the operations of these secret organizations is simply and purely the bad local government, where life and property are insecure. As I have stated, I traveled, last summer, over the entire State of South Carolina, with the exception of a single county. I was entertained by prominent gentlemen in different parts of the State. I was in full and confidential intercourse with them; social intercourse, sometimes; sometimes convivial intercourse. From the commencement of my campaign until the end, I never heard any gentlemen anywhere express any hostility to the Government of the United States. The trouble of which everybody complained was the incapacity and venality of the administration of South Carolina in all its departments and branches; that was the cause of all the complaints. During the campaign several men were killed in different parts of the State; two colored men were killed in Barnwell County. I never heard that charged to the Ku-Klux organization; nobody ever supposed it was done by them. In more than one place during the canvass it was proclaimed, publicly, that if any colored man dared to vote the reform ticket, the order had gone forth from the League that he was to be shot. I do not pretend to say there were any such orders, but I certainly heard the threat made by several prominent colored men, and the colored men, undoubtedly, were very much afraid. And on the day of election in my immediate neighborhood, upon the islands below Charleston and around Charleston, the military companies were out armed, with their rifles loaded; and when a colored man came up who was suspected to be a reformer, the companies were ordered to fall into line. Indeed, they had no chance to vote our ticket, because the moment that the challengers came upon the ground with our tickets for distribution, they were seized and the tickets taken away from them, and some of them were very roughly used. On John's Island, Wardmalaw, and Edisto, that took place. The same thing occurred in Christ Church parish, in the county of Charleston, and in St. John Berkley; and in other places.

Question. You stated a moment ago that the colored people were evidently much afraid; be kind enough to explain whether you meant the colored men who thought of voting the reform ticket?

Answer. Yes, sir; that is what I meant. Large numbers of them in every county of the State, where I was, at different times came to me and told me that they thought I was right; that in our platform we had provisions protecting their rights, and they believed, from their acquaintance with me and my conduct in the State, that I would carry out the pledges made; that they believed we were right, but they feared to vote our ticket.

Question. They so told you?

Answer. Yes, sir; as respectable colored people as there are in South Carolina told me that in every county of the State, that they dared not vote for our ticket. The killing of

two men who were very well known in Barnwell County especially, and the violence that occurred during the meetings in other places, struck perfect terror among the black population. These men who were talking to me said, "We can and we will stay away from the polls, for if we are not there we will not be hurt; but we dare not go there and vote the reform ticket." I may as well say that the reform movement had no national significance.

Question. I was about to ask that question—whether or not the opposition to Governor Scott and the then existing administration in South Carolina—was not your movement principally based upon reforms proposed in the administration of the affairs of the State?

Answer. Entirely so; it had no national significance whatever. It was not intended or in any way constituted a party with any idea of national politics. It was very well known to the convention that nominated me that I had voted for General Grant, and I had voted for Lincoln for his second term. It was equally well known that I had been appointed by Chief Justice Chase register of bankruptcy, and equally well known that I had been elected by the first legislature of South Carolina as judge; that they nominated me as a republican and knew I was one.

Question. That legislature itself being very largely republican?

Answer. Overwhelmingly so. National politics had nothing to do with the reform movement in our State last year. It was simply to remedy the crying evils of the local administration, if that were possible.

Question. A paper has been laid upon our table this morning, and handed to me just this moment, purporting to be an official statement, by Niles G. Parker, treasurer of the State of South Carolina, and attested by F. L. Cardozo, secretary of state, of the public debt of the State of South Carolina, at the close of the fiscal year ending October 31, 1870, together with a statement of the funded debt of the State of South Carolina. I have not had time to examine these papers and do not know anything about them. Be kind enough to look at them and state wherein, if at all, they fail to set forth what you regard as the legitimate indebtedness of the State of South Carolina, embracing in your statement such liabilities, outside of the funded debt, as the State will certainly have to pay. I will make these papers a part of the record so that your statement may be fully understood. [The papers referred to are as follows:]

Official statement of the public debt of the State of South Carolina at the close of the fiscal year ending October 31, 1870.

Class of securities.	When issued.	When redeemable.	Principal.	Rate.	INTEREST.	
					When payable.	Where payable.
State South Carolina stock.	1794	At pleasure.	\$38,836 00	3	Jan. 1, Apr. 1, July 1, Oct. 1.	State treasury.
Fire Loan stock.....	1838	1870	303,343 89	6	Jan. 1, Apr. 1, July 1, Oct. 1.	State treasury.
State Capitol stock..	1856	1877	189,690 80	6	Jan. 1, July 1....	State treasury.
State Capitol stock..	1857	1888	127,441 37	6	Jan. 1, July 1....	State treasury.
State Capitol stock..	1858	1883-'85	304,370 00	6	Jan. 1, July 1....	State treasury.
State Capitol stock..	1859	1887-'89	215,476 24	6	Jan. 1, July 1....	State treasury.
State Capitol stock..	1861	1882-'86	130,315 00	6	Jan. 1, July 1....	State treasury.
State Capitol stock..	1863	1890	1,740 00	6	Jan. 1, July 1....	State treasury.
Conversion stock...	1868	1888	64,000 00	6	Jan. 1, July 1....	State treas. and financial agent, N. Y.
Fire Loan bonds*...	1838	.....	484,444 51	5	.....	.....
Blue Ridge Railroad bonds.	1854	1874, '75, '76, '77, '78.	970,000 00	6	Jan. 1, July 1....	State treas. and financial agent, N. Y.
State Capitol bonds..	1853-'55	1871-'80	499,090 00	6	Jan. 1, July 1....	State treas. and financial agent, N. Y.
State Capitol bonds..	1866	1885	11,600 00	6	Jan. 1, July 1....	State treas. and financial agent, N. Y.
Funded debt.....	1866	1887-'97	1,131,700 57	6	Jan. 1, July 1....	State treas. and financial agent, N. Y.
Bonds of 1868-'69...	1868-'69	1888-'89	3,193,950 00	6	Jan. 1, Apr. 1, July 1, Oct. 1.	State treas. and financial agent, N. Y.
			7,665,908 98			

The interest of the entire debt is payable in gold.

NILES G. PARKER,
Treasurer State of South Carolina.

Attest:

F. L. CARDOZO,
Secretary of State.

* These bonds are held in Europe, for which the assets of the Bank of the State are liable and fully sufficient to meet the payment.

Statement of the funded debt of the State of South Carolina, and information relative thereto.

Amount of bonds and stock outstanding on the 1st of October, 1867, as exhibited by report of the comptroller general, for November 1867, pp. 43, 46.....	\$7, 649, 055 23
Less amount issued for confederate war purposes.....	2, 241, 840 00
Net total.....	<u>5, 407, 215 23</u>

Amount outstanding on the 1st November, 1870, as shown by report of comptroller general, for fiscal year 1869-70, pp. 55, 57.....	<u>\$7, 665, 908 93</u>
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Bonds authorized to be issued by the present administration are as follows :

Under act approved August 26, 1868, for redemption of bills receivable, issued by previous administration.....	\$500, 000 00
Under act approved August 26, 1868, for payment of interest on public debt.....	1, 000, 000 00
Under act approved September 15, 1868, for funding bills of Bank of the State of South Carolina.....	1, 258 550 00
Under act approved February 17, 1869, for relief of the treasury.....	1, 000, 000 00
Under act approved March 27, 1869, for purposes of land commission.....	200, 000 00
Under act approved March 1, 1870, for purposes of land commission.....	500 000 00
	<u>\$4, 458, 550 00</u>

Bonds issued under authority above referred to, to November 1, 1870 :

To financial agent as per comptroller's report, 1869, pages 151-154, &c. : October, 1868. For redemption of bills receivable.....	500, 000 00
October, 1868. As above, for payment interest public debt.....	1, 000, 000 00
June, 1869. As above, for relief of treasury.....	1, 000, 000 00
Sept., 1869. As above, for land commission.....	200, 000 00
May, 1870. As above, for land commission.....	500, 000 00
	<u>\$3, 200, 000 00</u>

Of which the following have been sold by financial agent, as will appear by reference to his reports, included in those of the comptroller general for 1869, (page 153,) and 1870, (page 101. :) :

Sept., 1869. For redemption of bills receivable.....	\$300, 000 00
Oct., 1869. For redemption of bills receivable.....	200, 000 00
Oct., 1869. For payment interest public debt.....	500, 000 00
	<u>\$1, 000, 000 00</u>

Leaving unsold in his hands, November 1, 1870.....	<u>2, 200, 000 00</u>
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Amount of bonds sold by financial agent as above, is....	\$1, 000, 000 00
Amount issued, in funding, to holders of bills Bank of State South Carolina.....	1, 258, 550 00

Total amount of new bonds bearing interest.....	2, 258, 550 00
Increase of bonds and stock issued in funding under acts of September and December, 1866, being net amount received from parties funding, to make even sums of \$100's and \$50's.....	<u>143 75</u>

RECAPITULATION.

Amount of bonds and stock (exclusive of invalid war issues) October 1, 1867.....	5, 407, 215 23
Increase of State debt since October 1, 1867 :	
By issue of bonds for funding bills Bank State of South Carolina.....	\$1, 258, 550 00
Bonds sold by financial agent.....	1, 000, 000 00
Bonds and stocks issued to parties paying in various sums to make even \$100's and 50's.....	143 75
	<u>2, 258, 693 75</u>
Total funded debt November 1, 1870.....	<u>7, 665, 908 93</u>

The comptroller general, in view of the interest at present manifested in the condition and management of the finances of the State, deems it proper to present, for the information of the public, the foregoing exhibit; and, in doing so, takes occasion to remark that it will afford him pleasure, at all times, to furnish the fullest information relative thereto; more especially would he be pleased to receive and exhibit to a committee from the tax-payers' convention, to assemble on the 9th instant, the books and records of his office, and to show, openly, in detail, or otherwise, the manner in which its affairs are conducted.

J. L. NEAGLE,
Comptroller General.

COMPTROLLER GENERAL'S OFFICE, Columbia, S. C., May, 1, 1871.

Answer. [After examining the papers.] Well, sir, I have glanced at them casually; of course it would require a great deal of examination of the books and records to show in all particulars how I think they differ from the truth in the matter. I do not think either of these papers is a correct statement in regard to the debt of South Carolina. In my statement heretofore given I have gone over a part of the ground. I see that this "statement of the funded debt" gives the acts as I have given them; it gives the dates of them. For instance, the act of August 26, 1868, for redemption of bills receivable, issued by previous administration, \$500,000; that is the first act of the kind passed by that legislature, as I have stated. It is to be remarked here, in the first place, that according to the comptroller's report at the close of Governor Orr's administration, and consequently just prior to the time that Governor Scott was inaugurated, the amount of outstanding bills receivable was less than \$260,000. I see that this statement also says that the \$500,000 of State bonds, authorized to be issued for the redemption of those bills receivable, have not only been issued but sold; therefore this statement shows the fact that \$500,000 of State bonds have been issued and sold to pay about \$260,000 of bills receivable.

Question. They have, in fact, all been sold?

Answer. This statement admits that they have all been sold. It says "bonds issued under authority above referred to * * * to financial agent * * * for redemption of bills receivable, 500,000," and then it says, "of which the following have been sold by financial agent * * * September, 1869, for redemption of bills receivable, \$300,000; October, 1869, for redemption of bills receivable, \$200,000." This statement undertakes to say that the whole State debt consists in the debt before Governor Scott came into office, and the amount of bonds sold by the financial agent since. But it is a notorious fact, as I have learned from the financial agent and from other departments of the government, and nobody can deny it, that the bonds that have not been sold by the financial agent have been hypothecated by him; he has not got them on hand; they have been hypothecated by him. He has sold a portion of them, as here stated; the others have been hypothecated. They are none the less a debt owing by the State of South Carolina when hypothecated than when sold; the only difference is between the price when sold and the price when hypothecated.

Question. Does that statement anywhere include the liability of the State for these hypothecated bonds?

Answer. No, sir; it does not allude to it.

Question. What is your opinion of the amount of the bonds of the State of South Carolina that have been hypothecated?

Answer. My opinion is that all the bonds authorized by the legislature have been issued, and so far as I know they have all either been sold or hypothecated. They are as follows: By act of August 26, 1868, for redemption of bills receivable, \$500,000; by act of same date, for payment of interest on public debt, \$1,000,000; by act of September 15, 1868, for funding bills of Bank of the State of South Carolina, \$1,258,550—I see he puts it at more than I thought; by act of February 17, 1869, for relief of the treasury, \$1,000,000; by act of March 27, 1869, for purposes of land commission, \$200,000; and by act of March 1, 1870, for the same purpose, \$500,000; making a total of \$4,458,550. I understand that to be the increase of the State debt, so far as the bonded debt of the State is concerned, since Governor Scott went into office; and those bonds I understand to have been all sold or hypothecated. In regard to the act for the relief of the treasury, it is very peculiar in its phraseology; perhaps not peculiar when taken in connection with certain statutes of the United States, but peculiar in connection with the statutes of South Carolina, or of any other State, so far as I am apprised. The State collected that year over \$1,100,000 in taxes from the people; a sum twice as great as it ever cost before the war to run the entire machinery of the government of South Carolina, and more than twice as great as it cost during Governor Orr's administration. After collecting that sum of money they then passed this act for the relief of the treasury. The act was worded something in this way: The governor is authorized to borrow \$1,000,000 for the relief of the treasury; and he was further authorized to sell the bonds of the State for that purpose at a price to be fixed by him, the comptroller general, and the treasurer general, or to hypothecate them without any price being fixed. Now how many bonds have been issued under that act, which as you see may author-

ize him to issue two millions instead of one million, I do not know, and nobody but the comptroller, the treasurer, and the governor does know. They admit that they have issued one million; how many more they have issued I do not know.

Question. But they may issue as many bonds as in their judgment would produce to them a million of dollars?

Answer. Yes, sir; they could issue any quantity of bonds that by hypothecation would bring a million of dollars into the treasury. The act authorized them to do that.

Question. Even though it might require two or two and a half millions to produce that sum?

Answer. Just so. I think this statement is incorrect in another respect; I do not think it states the debt on the 1st of October, 1867, as large as it was. It states it to be \$5,407,215 23. I think it was about a half a million more than that. I have made very careful investigations of this subject. It was some time ago and it was then perfectly fresh in my mind. My conclusion, from the reports and everything I could get hold of, was that the debt of the State was about \$6,000,000 on the 1st of October, 1867. But taking this statement of the comptroller general that the debt was then \$5,407,215 23, then, in my judgment, there should be added to that the sum of \$4,458,550 of bonds authorized by the legislature to be issued by Governor Scott's administration, and then, in the next place, there should be added \$4,000,000 of bonds guaranteed by the State to the Blue Ridge Railroad Company, and the mortgage for which was released by the last legislature; and in the third place there should be added \$2,000,000 of bonds in precisely the same condition in connection with the Greenville and Columbia Railroad.

Question. As this seems to be the proper place, state as succinctly as you can why that should be added as a debt, and whether it is not as certainly a debt as any portion of the funded debt?

Answer. Perhaps I had better go on with this statement, so that it can all be summed up together.

Question. Very well; go on and complete your statement as you desire.

Answer. Then there should be added about a million of dollars—I am not certain as to the precise amount—of bonds to the Spartanburg and Union Railroad, and to the Laurensburg Railroad. The reason why I place in the list of debts of South Carolina the \$2,000,000 of bonds indorsed for the Greenville and Columbia Railroad, is because the State having heretofore held a mortgage upon that road has released it, and the parties now owning the road have put a first mortgage upon it, and the road is in a bad condition and could not be sold for enough to pay both amounts. In short, the State never will realize one cent out of that road; she has guaranteed the bonds, and she will have to pay them.

Question. In your judgment the other mortgage, together with the cost of construction, will exhaust the road before the State will be reached?

Answer. I have no doubt of that. As to the Laurensburg branch, the State is a guarantor for some \$375,000 or \$400,000 of its bonds, with back interest now for eight or ten years; that road is already in the bankrupt court; has been decreed bankrupt by the federal court, and has long since passed into the hands of a receiver.

Question. How about the \$4,000,000 of the bonds of the Blue Ridge Railroad?

Answer. First the Spartanburg road, in this connection; that is a bankrupt corporation without being in bankruptcy, and utterly unable to pay its debt, and also with a large floating debt. The State can never be reached there, for the State has no lien on that road, or on the Laurensburg road. As to the Blue Ridge road, as I have already said, only twenty-nine miles of that road have been constructed. It will require four or five millions of dollars, in addition to the four millions guaranteed by the State, to build that road, and until it is built of course it can pay nothing. In other words, the bonds of the State were issued to take the place of original stock, and through such a country as that of course that stock would in any event all be sacrificed; and if built with bonds instead of stock they would be sacrificed. The State having given up its lien and allowed another mortgage to be put upon the road, if they go on with it they will be compelled to mortgage the road for as much as it would pay if sold.

Question. In fact you regard that as an absolute debt of the State?

Answer. I regard the guaranteed bonds of that road, of the Greenville and Columbia road, of the Spartanburg road, and of the Laurensburg road, as so much debt of the State, as much so as any of the bonds issued by her.

Question. And none of them are embraced in this statement of the debt of the State?

Answer. Not one dollar of them. The State is guarantor for several other railroads which I have not enumerated, because I consider that they are able to pay, and will pay the debt themselves.

Question. These other liabilities in the aggregate amount to how much?

Answer. About \$3,500,000 or \$4,000,000.

Question. The State has to run the risk of any contingencies that may arise to depreciate the value of the property of those corporations; and though you think she will be secure, it is not certain?

Answer. I regard those corporations as perfectly solvent and able to pay. I do not think the State is in any danger of being compelled to pay either the interest or the principal of those bonds.

Question. Can you form anything like an estimate of what is the real amount that the State is now liable for?

Answer. By adding these figures together, in my opinion, you can tell very quickly what is the debt of South Carolina, every dollar of which she will be compelled to pay. [Making a calculation.] It is about \$17,450,000.

Question. Who are the owners of the Greenville and Columbia Railroad, and of the Blue Ridge road, especially the first; in what way did they become the owners of it, and what legislation, if any, has been passed to aid them since they became the owners of the road?

Answer. In the case of the Blue Ridge Road, to answer the shortest question first, the majority of the stock is owned by the State of South Carolina and the city of Charleston, and has been represented in the board of directors, in voting for officers, by Governor Scott and Mayor Pillsbury, the one governor of the State and the other mayor of Charleston. There is very little stock outside of that, and they have managed it between them. I have stated the legislation in regard to the Blue Ridge Road; first, the credit of the State—the indorsement of the State on its bonds to the amount of \$4,000,000—and then the relinquishment of the mortgage held by the State. This is substantially all the legislation in regard to the Blue Ridge Road, except one piece of legislation last winter, that I may more properly speak of in connection with the Greenville and Columbia Road. The Greenville Road is owned now by Colonel John Patterson, formerly of Pennsylvania, Governor Scott, whose stock, I think, is held by Joseph Crews or his brother-in-law, Waterman, amounting, I think, and as I understand, to about three shares; by Parker, the State treasurer; Neagle, the comptroller of the State; and Cardozo, secretary of state. I think Mr. Tomlinson has an interest in it. He was formerly auditor of the State. I will not be sure of that, but he had an interest in it and I think he has now. Timothy Hurley and others are also stockholders. I do not know all the present stockholders.

Question. Who is Timothy Hurley?

Answer. He is a member of the legislature of South Carolina. Formerly he was a very active lobby member of the legislature. The road was acquired by purchasing up in the country, through a portion of the directors of the Greenville and Columbia Road, a certain amount of its stock, all that could be purchased in the up-country. That stock was transferred, in the first place, to three persons from Pennsylvania, Colonel McClure, Colonel Patterson, and a Mr. Taylor, under some arrangement with Governor Orr, who was one of the board of directors, Mr. Hammett, who was the president of the road, and Mr. Reed, who was the attorney of the road. A very considerable amount of the stock of the road was purchased in the country and delivered to these parties. Then the parties divided the stock of the road into shares of \$20,000 each; twelve shares, equal to \$240,000. Then these different parties came in and subscribed one share, or half a share, or a quarter of a share, as they pleased, and took an interest in it in that way. That, however, did not give them a controlling amount of the stock of the road. They could not buy it in the market. It had got noised about and there was a great deal of excitement about it. Then a bill was introduced in the legislature in the interest of this ring and it was passed. The bill authorized the governor, the comptroller, the treasurer, the attorney general, the chairman of the committee on finance in the senate, and the chairman of the committee on ways and means in the house, to sell any of the public stocks or property held by the State of South Carolina, at public or private sale, with advertisement or without it, as they might deem proper. The object of the act was to enable them to sell to themselves the stock held by the State in the Greenville and Columbia Road, probably some three or four hundred thousand dollars. That would give them a majority of the stock and enable them to control the road. The bill was passed through the legislature, as was asserted at the time, and never denied that I know of, by the usual means of procuring the passage of bills through that body. The stock was sold to some persons in New York, some friends of Mr. Kimpton. I do not know who they were. It was sold at \$2 75 a share, the shares being \$50 each, when these same parties had been offering and paying for all the stock that could be brought to them from Newberry, as Colonel Fair informed me, \$4 a share. They sold this stock to those men in New York, and it was afterward transferred to the different parties who held these several shares, and it is now owned by them.

Question. You spoke of aid being granted to that road by the legislature. Was that done after they became the owners of the road?

Answer. No, sir; it was done before they became the owners of it. It was after that act that the mortgage was released.

Question. The mortgage of the State was released?

Answer. Yes, sir; after they became the owners of the road. That was this last winter, more than a year subsequent to the time when they acquired control of the stock

of the road. Of course other people own stock in the road who have never parted with it.

Question. That aid, granted by the State, amounted to two millions of dollars?

Answer. About two millions of dollars. I believe the comptroller general states in his last report that under that act bonds to the amount of fifteen hundred thousand dollars have been issued. That is the only means I have of knowing how much has been issued; but the statute authorizes about two millions of dollars.

Question. What consideration did the State receive from the governor and his ring, as you call it, for the release of their first lien of two millions?

Answer. The State received no consideration at all; what consideration the members of the legislature received I am not able to say.

Question. The release operated to the extent of a grant or gift of two millions of dollars to the ring who controlled the road?

Answer. That is my opinion of it.

Question. You say that \$700,000 was appropriated by the legislature for the purchase of lands for the landless and homes for the homeless? To what extent has that \$700,000 been expended, and how has it been applied?

Answer. Well, sir, I could not give a definite answer to that question. I do not know how much of the money was ever used for buying lands; a great deal of it certainly has not been so used.

Question. What is your best information in regard to that matter?

Answer. Judging by all that has been told me by the persons in the different counties, and from my knowledge of the workings of the land commission, I do not suppose that the land that has been purchased by the State for the \$700,000 could be sold in the market to-day for more than one-seventh of that amount, if it could be sold for that. The Schley purchase, which was a large one, amounted to \$122,000; I think the tract of land consisted of about thirty thousand acres, lying up the Ashley River, almost an entire unbroken swamp, utterly worthless except for the timber that there is upon it; and by any means that we have of cutting the timber and getting it out of the swamp, it is worthless for that purpose. There is a great deal of valuable timber upon it, if it could be got out, but, of course, without labor and capital it cannot be got out. For the purpose for which it was purchased it is utterly worthless. The land was offered in the North for months for \$15,000, without finding a purchaser. There is not a county in the State where the land commission was not more or less swindled. At one time I had a statement of each county, and the precincts where the land was situated; the universal practice was for the local agent of the land commission to buy land at one price and put it in to the land commission at another. The Reverend Mr. Donaldson, a State senator from Chesterfield County, purchased a tract of land there; the excess of the amount for which he sold it, over the amount for which he purchased it, must have been between twenty and thirty thousand dollars; I saw the tract of land and passed over it; it was worth very little.

Question. It was charged to the State for that much more than was paid for it?

Answer. Yes, Sir. Another State senator, Mr. Lunney, purchased a tract of land in Darlington County, and charged the State as much again as he gave. Indeed, I believe he took the money and made no title to the State at that. During the latter part the operations of the commission had got down to about this: When a man wanted to sell any land to the commission he would charge three prices for it; one price he got himself, one price was taken by the go-between, and another price was taken by the land commission for themselves. That, I believe, is the way the thing wound up; I do not think it was as bad as that at first.

Question. It kept getting worse and worse as they learned how?

Answer. Yes, sir; or as the fund grew less they grew more hungry. In other words, if you had a piece of land that was worth \$5,000, and you wanted to sell it to the land commission, and I was the agent of the commission, the arrangement would be for you to charge \$15,000 for it, of which you would take \$5,000, I would take \$5,000, and the other five thousand would go to the commissioners.

Question. You think the land would not realize one-seventh of the amount appropriated by the legislature for that purpose?

Answer. I think more money was expended in the purchase of the land than \$100,000; for I think that in a great many instances it was a matter of personal favoritism to give large prices for lands, and that they did so. But I do not suppose that out of the \$700,000 one hundred men in South Carolina have got any land and are living on it and cultivating it to-day. Most all of the land is in the hands of the State; most of the lands are unfit for cultivation; either old worn-out lands, or else swampy new lands. It has been a fruitful source of speculation and peculation, no doubt about that; I do not think anybody doubts it; I have never heard it denied by anybody; it was admitted on all hands last summer, by Governor Scott's partisans and friends, as well as by my friends, that there had been a great deal of corruption and peculation in connection with the expenditure of that fund.

Question. Have you any information as to who were the principal owners of the notes

of the Bank of the State of South Carolina to the amount of twelve hundred and odd thousand dollars, which is referred to in the statement of the comptroller general? Do you know how that affair was managed, and how those notes were obtained and paid off?

Answer. I know something about them. I think that perhaps the largest holder of the notes was Edwin Parsons, of New York; perhaps the next largest holder was a man by the name of Marsh, from Cincinnati, Ohio; and Governor Scott was a very considerable holder of these bills. I think most of the gentlemen composing the State government were interested in them, as well as several members of the legislature. I think Governor Scott had probably some sixty or seventy thousand dollars; I am not certain as to the amount. He told me at one time that he had \$50,000, and I know that he afterward purchased more. I think that most of those who are called the ring there had an interest in them; if they did not have the bills themselves, they had an interest in the bonds after the bills were funded.

Question. How was that funding accomplished?

Answer. Well, by an act of the legislature. I do not think they got much for passing that; it was in the early days, and they were green about such things. I have heard some parties say that they got along very well with that. Those fellows had not learned their business well when that bill was passed. I think it was got through without a great deal of money, very little money indeed; but I think a great many more bonds were issued than there were bills filed. I think the speculation there was in that way principally. It was asserted—well, there was a suit by Dabney, Morgan & Co., plaintiffs, against the Bank of the State in the nature of a bill against an insolvent debtor. That suit was referred to a master in equity, to take proof as to the outstanding bills of the bank, and the holders of those bills were required to come in and present them and prove them. In that case there was proved something less than \$500,000 of the bills. The case had been in court a year and a half or more; had been a very prominent case; was widely known; and there was something less than a half million of the bills there proved. Those bills were withdrawn from that court by leave of the court. To the astonishment of everybody who had been familiar with the affairs of the State, when the bonds came to be issued for the funding of those bills they footed up between twelve and thirteen hundred thousand dollars, instead of what everybody supposed would be the case, between six and seven hundred thousand. One of the committee to count the bills was Mr. Joseph Crews, of Laurens; another of the committee was a Mr. Rainey, now a member of your house; and the third was the treasurer of the State, I believe, Mr. Parker. After these bonds had been issued, shortly afterwards, it seems that Mr. Crews deposited with Scott, Williams & Co. \$30,000 of these bills. Nobody knew anything about it until last year, when Scott, Williams & Co. sued Crews for some money he owed them. Then this state of facts was disclosed on the trial; Scott, Williams & Co.'s bank had been robbed before the institution of the suit against Crews, and among other property taken by the robbers was this \$30,000 of the bills of the Bank of the State of South Carolina. It turned out that shortly after the bills were counted and supposed to have been destroyed Crews had deposited this amount as collateral security for money that he had borrowed of that bank. In the suit he insisted that he ought not to pay the amount he had borrowed, because the bank had allowed the collateral security to be stolen.

Question. This \$30,000 was supposed to be part of the bills understood to have been destroyed by the committee of which Crews was a member?

Answer. It was supposed they were all destroyed. Where he got this \$30,000, when it was supposed that all these bills had been counted and destroyed, of course I do not know. He was one of the committee that counted them.

Question. Will you tell us what you know about the pardons issued by the governor; the number and character of the criminals pardoned, and especially the time when these pardons were issued in the greatest numbers?

Answer. I have already stated that a large number of criminals of the worst description were pardoned by Governor Scott. I think the pardons came much the thickest just before the October elections of last year.

Question. What was the date of your election?

Answer. It was on the 19th of October.

Question. The governor's official statement of pardons by him reaches to the 1st of October?

Answer. Yes, sir.

Question. From your knowledge and information what would be your opinion as to the number of pardons issued between that date and the date of the election?

Answer. I could not state. I saw several persons that I had myself sentenced to the penitentiary, who were pardoned just before the election; I met them on the streets; three or four of a very bad description of men; men who had been sentenced to the penitentiary for a series of years. I do not know, but I judged, from seeing three or four that I knew myself, that there must have been a great many all over the State; and that is my information from other people. I think the official statement of par-

dons from October 1, 1869, to October 1, 1870, gives the number as two hundred and five, out of some four hundred and eighty who were in the penitentiary. How many of them had been convicted during that time, and how many of them were there before, I cannot say. I do not know whether the official record, if I had it, would enable me to say. According to General Stolbrand's report, who is the keeper of the penitentiary, two hundred and five prisoners in the penitentiary were pardoned, between October 1, 1869, and October 1, 1870, out of some four hundred and eighty who were confined in the penitentiary during that year. I think the pardons were largely in excess of the convictions; I think there must have been more of them there before Governor Scott exercised the pardoning power with so great liberality.

Question. And you think from the 1st of October to the day of election it continued quite liberally?

Answer. Quite liberally, I should think.

Question. But the number you cannot give?

Answer. I cannot give the number for the State.

Question. What effect did the free exercise of pardon have upon the sense of security of all the people throughout the State?

Answer. The same effect it would have anywhere, that there was very little security for life and property in the country.

Question. What effect did it have upon their reliance upon the courts for the proper redress of grievances?

Answer. It had a very bad effect, as I think such an indiscriminate use of the pardoning power will have everywhere. If men can commit crimes with impunity, of course no one will be afraid to do so, especially in such a population as that we have in South Carolina; an ignorant population, uncultivated, led by these persons; they were led to think they could do anything, commit any outrage, and that the governor would protect them, that he was all they had to fear.

Question. What effect did that pardoning of criminals have upon the lawlessness that existed, the taking of the law by men wrongfully in their own hands?

Answer. I think that that, and the manner in which the election was conducted, the election law, and the other matters I have stated—I think these are the sole causes for men taking the law into their own hands. There was a great deal of excitement, a great sense of insecurity, and a great feeling of indignation. Because, in addition to what I have stated, in all the appointments in every department of the government the men were generally not only corrupt, but utterly incompetent. Men were appointed school commissioners who could neither read nor write, at a salary of a thousand dollars a year for a commissioner in each county. Salaries were increased everywhere. Public officers were multiplied, and the only business of the officers seemed to be to prey upon the people. The whole government in all its ramifications seemed to be intent upon no other purpose than self-aggrandizement at the expense of the population, and I confess I shared in the belief that there was no protection of person or property in the State.

Question. And that even the conviction of criminals did not tend to produce punishment?

Answer. In the first place, the juries, being composed of colored people, as well as of white, (parts of each,) it was difficult to indict anybody. The moment a question of indictment came, there would be some difficulty of race about it. I think there was none with the white people; but, of course, the colored people had a strong predilection for their own race, and they were not very clear in their ideas of the difference between right and wrong. Then, if the parties were indicted, it was very difficult to convict them; and, if they were convicted, they were very sure to be pardoned. I have known, in more than one instance, where a man preferred a charge against a party, the accused was discharged by the grand jury, and the accuser indicted for false imprisonment, or something of that sort. In Christ's Church Parish, four indictments were found, that my successor on the bench said were an outrage, and he was a simon pure Scott man. Some colored men had been stealing some cattle, and the owner had them arrested and taken before a justice of the peace, and they were bound over for trial, the proof being very clear. The jury were nearly all colored men, and were summoned by the sheriff of my county—a man of very extreme partisan views—Mr. Mackey, son of Dr. Mackey. The jury discharged the prisoners for stealing the cattle, and indicted the two young planters for false imprisonment. The case was tried at the last June session, at Charleston, by my successor. I have information that it was not a singular case. It has been repeatedly done there. In that case, the judge charged the jury that there was no ground at all.

Question. Would not a course of conduct of that sort deter men from seeking the law as a means of protection?

Answer. Undoubtedly it would.

Question. You say that was not confined to one locality?

Answer. It occurred several times in my circuit, and I had information that it occurred in other circuits. I do not want to be understood as justifying the proceedings

of these secret organizations. I do not think it was a remedy for anything; but in my opinion it was the condition of things which I have detailed that was the cause of it. In my judgment, nothing could be further from a cause for this organization than any hostility to the Federal Government in any of its departments. It had nothing more to do with the Federal Government than it had to do with the government of China. Whatever may have been their reasons—whether well founded or ill founded—they acted upon the idea that they were without a government to protect them; on the contrary, that the Government was inimical to the white people of the State particularly, protecting their enemies—the men who committed crimes against them—and rewarded them rather than punished them. In my judgment that was the reason for forming that organization in South Carolina. As I have said before, I do not approve of it, for I think it was a remedy for nothing.

Question. I am not seeking by my question either to apologize for or to condemn anything. I am merely seeking to get at the causes that led to this thing, and I am putting questions with a view of ascertaining what those causes were. Whatever might be their effect, I want the committee to understand what you know about it.

Answer. In my judgment those are the causes which I have given, and others of the same kind, that called this secret organization into existence.

Question. Of course you have been quite familiar with the negro population of South Carolina. How do they compare in intelligence with the colored population of the border States, such as the colored population of Maryland and Kentucky? I know you are familiar with the colored population of Kentucky, as well as myself. How does the colored population of South Carolina compare in intelligence with the colored population in these States; and, if they are less intelligent, what, in your opinion, is the cause of it?

Answer. If you except a portion of the colored population of the city of Charleston—

Question. I mean outside of cities?

Answer. Except a portion of the old colored population there, that have been free for a long period of years, a great many of whom are people of intelligence, good character, reputation for probity and honesty, and even men of property—if you except them, the rest are very much less enlightened than the colored people of the border States. However, the farther you move north in the State, the nearer you approach the mountains, and in the mountains themselves, they are more intelligent than on the sea-coast, or on the rivers. The colored population upon the sea-coast and upon the rivers, in point of intelligence is just as slightly removed from the animal creation as it is conceivable for a man to be. I venture to say that no gentleman here would be able to understand one of them upon the witness stand, or would be able to know what he meant. I have had to exercise more patience and more ingenuity in that particular, to have more explanations and interpretations, to find out what a witness meant to say, who had witnessed a murder, for instance, than to understand anything else in my life. They talk a very outlandish idiom, utterly unknown to me. They are very ignorant, and still have very strong passions, and these bad men lead them just as a man would drive or lead a flock of sheep.

Question. That brings me to the question which I desired to ask, whether or not that character of population, ignorant and degraded as you have described them, are not very easily controlled and led by persons who acquire their confidence?

Answer. Very easily. They believe anything they are told, no matter how ridiculous. As an instance of that I will say that two of the most serious charges made against me by the colored population when I was a candidate for governor were, first, that if I was elected I would reduce them again to slavery; and second, failing to do that, I would not allow their wives and daughters to wear hoop-skirts.

Question. How did they get the latter idea?

Answer. It does not matter how ridiculous a thing is, they believe anything. They are a very credulous set. Those men have as absolute control over them as any slaveholder ever had over his slaves before slavery was abolished.

Question. In what way did they obtain and maintain that sort of control?

Answer. They obtained the control originally by the white people of South Carolina refusing to take any part in the elections in the organization of the State. These men then went to the colored people and said, "We are your friends; we are going into this thing and have you educate your children, and make everything better for you," and all that sort of thing. They got their confidence and control. The white people did not go among them. The colored people in that way were made inimical to the white people, and led to think that their interests were antagonistic to the interests of the white people. The white people held the property and what little money there was. The colored people were taught by these men to believe that the lands properly belonged to them and not to their former masters; that the dwelling-houses and gin-houses and everything else belonged to them. I heard that repeatedly stated on the stump last summer, not only by colored men but by white men. Senator Beverly Nash, a colored man, at Columbia, a very shrewd, sharp, keen man, in a pub-

lie speech to six or eight thousand men, said to them: "The reformers complain of taxes being too high. I tell you that they are not high enough. I want them taxed until they put these lands back where they belong, into the hands of those who worked for them. You toiled for them, you labored for them, and were sold to pay for them, and you ought to have them." That was the key-note of the whole stumping from the sea-coast to the mountains. Some of the people did not say anything about it; but it was a fierce contest from beginning to end, to array race against race. Our efforts were directed to harmonize the two races for political purposes and legal purposes.

Question. In your canvass you and the men associated with you had in view the harmonizing of the races?

Answer. Yes, sir.

Question. Did not your safety consist in that course being pursued?

Answer. I think the safety of the whole State and of the people of the State consisted in it. If, after the election was over, these appeals had been kept up to the colored people, and they had acted upon these suggestions, of course there could have been nothing but war. A great many gin-houses and dwelling-houses have been burned by the colored men during the last two or three years in South Carolina.

Question. Do you think that was done at the instigation of others?

Answer. Well, I do not say that, because I do not know it.

Question. Why were they burned, do you think?

Answer. I think it was oftener the result of personal ill-will toward the owners than a preconceived political design. I am not prepared to think there was any concerted design about it. Of course an uncultivated wild man like the uncultivated colored man of South Carolina, subject to very strong passions and impressions, if he thinks he has been particularly ill-treated or anything of that sort, is very likely to take a fearful revenge. While they are a very gentle people, when they do commit crime they are more barbarous than any people I have seen. In several cases of murder that came before me, sometimes the man would have twenty bullet wounds. In one case in particular, not only was his head cut off, but he had four or five stabs in the right breast; his heart was literally pierced four or five times, stabbed through and through, and then he was disemboweled. They are a very peaceable people naturally, and if let alone they want to do right; but when their passions overcome them and they commit crime they do it with a vengeance.

Question. Their ignorance, their peculiar disposition, and their liability to be misled, are well known to the white people of South Carolina?

Answer. Yes, sir. Still there is a great deal of kind feeling toward them on the part of the white people, and a great deal of kind feeling toward the whites from a large class of the colored people. The colored men who are not either local or State politicians, who have any intelligence, generally feel very kind to the whites, and come to them if they want any help about anything—if they want to borrow any money or get any help of that sort. A great many of them have very excellent credit, and are of good character.

Question. What I am coming to is this: with these known characteristics of the negro, their ignorance and liability to be imposed upon, and the opinion generally prevailing throughout the State of the way in which they have been induced to have hard feelings toward the whites, will you state to the committee what effect it had upon the people and their sense of security when the governor armed them as State militia, and refused to arm the white people in the same way?

Answer. Well, sir, the people felt they had no security at all; that they might be attacked at any time. I do not think myself that this militia was ever organized for the purpose of any war on the white people. It was organized to carry the election through the colored vote, to intimidate and overawe the colored people. I do not think they ever intended to have any fight with the white people, but, of course, the white people felt very anxious upon the subject, hearing companies of colored men drilling and training every night in each village of two or three thousand inhabitants, and the people were perfectly unprotected. In the time of election there was a great deal of whisky about, for the colored man is not very much unlike his white brother in that respect; he is very fond of whisky. And it is very astonishing to me the paucity of casualties and crimes that occurred in consequence of it. They seemed to content themselves with carrying out the ideas of the party. On the day of election they were parading, and then, not where there were many white people, but in the dense colored districts they overawed and drove off everybody that was obnoxious to them. I think that was the original purpose of the militia, for certainly Governor Scott was in the army too long to suppose that this militia would be effective in any contest with the white people of South Carolina. I think he has expressed himself very fully on that subject; he knows that they are of no consequence for that purpose.

Question. Was there anything in the militia law that prevented the organization of white men as militia, and their being armed as such?

Answer. No, sir. Under the law the governor had the right to receive any organiza-

tion for militia purposes; the governor had to receive them. Any who chose could propose to form a company, but they had to ask the governor to receive them. If he received them, very well; they could go on organizing; but it was made a very serious offense to drill and organize a company without the permission of the governor. When a white company was organized and offered to the governor he invariably refused it, until very lately. I believe he received a white company from Columbia, and perhaps one from some other place. It was made a highly penal offense to organize a company without the permission of the governor. All other military organizations were prohibited, except those he accepted, and he accepted nothing but colored militia.

Question. They were generally composed of his own political friends?

Answer. Entirely so.

Question. I believe you have stated that the negroes who desired to vote for you, or for the reform ticket, were maltreated, threatened, and persecuted by their colored brethren. Was that general throughout the State?

Answer. I think it was. I was told so in every county that I was in, by more than one colored man. As I said before, I heard men proclaim that the order had been issued to shoot any colored man who voted for the reform ticket. I do not think there was any such order, but that was the statement.

Question. Was it believed by those people?

Answer. Undoubtedly it was believed by the colored people.

Question. And acted upon?

Answer. And acted upon.

Question. Were the election managers so divided as to give you any chance in the counting of votes, or were they generally friends of Governor Scott?

Answer. They were all friends of Governor Scott, without any exception, so far as I know; that is, the commissioners of election; and the managers were his friends without any exception, except where nobody was found that was able to read and write of their party, and then they had to resort to the reformers for managers. Once in a while there would be a precinct where no colored man could read and write, and then they had to take a reformer to take down the names on the poll-list.

Question. As a matter of necessity?

Answer. Yes, sir. I do not think there was any reformer in the State appointed as commissioner or manager other than from necessity.

Question. If in these elections the frauds were as great as you supposed they were, what was the obstacle under the laws of the State to exposing them and making contest?

Answer. There was no penalty affixed to the law of the State for any offense connected with the election. The only way to prosecute them was in the United States courts, under the federal statutes.

Question. Under the statute known as the enforcement bill?

Answer. Yes, sir; that was the statute under which those men in Beaufort County were prosecuted; but then it was so difficult to obtain the proof. The act of the legislature did not require the managers to keep the ballots at all, and they did not keep them. They certified that A B had so many votes for Congress, that C D had so many, that E F had so many votes for governor, and so on, and then they destroyed the ballots. They did not leave anything by which to trace them. The way those persons were convicted in Beaufort was, by bringing men from the precincts to swear how they had voted. To illustrate the whole thing, in one precinct where the commissioners returned but six votes as having been given for a certain party, forty-one men were brought forward who swore they voted for that party; and so it was in other precincts. That showed that the commissioner had taken ballots from the boxes, and put others in in their stead. The act, if you can call it one—I call it a device—was so framed as to enable them to destroy any trace of their guilt in the matter. The only thing that could be relied upon was the general statement of the certificate of the commissioners, who, as I said awhile ago, were themselves almost universally candidates for office.

Question. The party in power could have been maintained under that law, no matter what majority the people might cast against it?

Answer. If there had been forty thousand majority there would not have been any difference; it would have been just the same, for the law was framed for that purpose.

Question. You spoke of the district of Mr. Wallace as an illustration. What facts have you to satisfy you that in his district the count was false?

Answer. I canvassed that district very thoroughly; I canvassed it almost by precincts. In the first place, it has a large preponderance of white votes.

Question. Where does the district lay?

Answer. It is in Chester, York, and Laurens, and in that region of the State. I talked with a great number of persons, intelligent men of both parties; I obtained information from both sides as to the particular counties. I talked with colored men throughout the entire district, and I made up my mind that the majority for General McKissick in that district would be about six or seven thousand. It was owing to two facts

that I came to this conclusion. First, the character of the population, and second, the very active and thorough canvass of the whole district, without the exception of a county. I never saw any one during the campaign, black or white, that had any idea that Wallace was going to be elected, and I do not think that any one was more astonished than his own partisans when they found that he had three or four thousand majority in that district. He had just been beaten by about five thousand majority by Simpson. Simpson was disqualified, and Wallace was therefore given the seat. He ran this race with McKissick, who is a very popular stumper, and a popular man in that region of country; besides, there is a great deal of dissatisfaction toward Wallace among his own people. But it was a part of the general scheme to keep power in the hands of the officials of the State, no matter how the people voted.

Question. How much of joint debate had you in the canvass?

Answer. Very little; no debate at all with Governor Scott. I think I had about four general discussions, at different places, with candidates of the other side for State offices and candidates for Congress; but none with Governor Scott, for he did not make his appearance on the stump at all.

Question. What do you know, or what information have you, of the character of the speeches made by Crews and men of that sort to the negroes during the canvass?

Answer. Well, I heard some of them. I did not hear Crews in public—I mean upon the stump; but I heard him talk to a crowd of men standing about. The general talk of all such men as Crews was, that the negroes owned all the land and property in the country; that they had a right to all they wanted; that if the white folks did not let them have it, “and did not behave themselves,” as he called it, they would burn their houses and kill them. I do not think more incendiary speeches could be made than Crews made in that country. In Lauren, where Crews was a commissioner and also a candidate for the legislature at the same time the other two commissioners were, one a man by the name of Owens, and a senator, a very weak man, perfectly under the dominion of Crews, and the other a negro, also under his dominion. They returned a thousand majority in that county for Scott and Wallace. I am as certain that I received a thousand majority in that county as I am of my existence.

Question. How was the vote against you returned?

Answer. It was a round thousand against everybody on our ticket, and a thousand in favor of everybody on the other ticket. I do not think they ever counted the ballots. His speeches were of the most incendiary character, and so were they all for that matter. The most accomplished, the most able man of their party in South Carolina, General Chamberlain, in the joint debate at Chester, which I spoke of, made a speech that was equally well calculated to stir up the worst passions of the colored men there. He did it very adroitly to be sure. He said he was very glad he could meet them and address them; the time had been when he could not have done it, for they would have been over in yonder field with marks of the lash on their backs, and more to the same effect. I think it was very well calculated to stir up the colored population. I am astonished, and have been ever since I have been in the State of South Carolina, at the generally peaceable condition of the State; that more crimes have not been committed; for these men have exercised control over the colored men, and have made appeals of that sort to them; appeals to the worst passions of humanity.

Question. Such speeches as you have indicated that Crews made were made to crowds of ignorant negroes?

Answer. Any quantity of them. As I said before, it was the key-note of the campaign, that the negroes owned all the property, but that it was in the wrong hands; that the white people had it by a trick, and that the negroes ought to have it back again; that the way they proposed to do it was by taxation; to drive the white people out of the State by means of high taxes; and I think they are succeeding very well in their method.

Question. Just there state how the tax on the real estate of South Carolina is imposed; what it is now as compared with what it was four years ago. State your general knowledge in regard to taxation in the State.

Answer. The property is assessed by the auditor of each county, and a return of the assessment is made to the State auditor. The board of equalization then examines the returns from each county, and adds to or detracts from the amount at which the property is assessed. This board, without seeing the property, or knowing anything about it, receives complaints from persons assessed; or if they think the assessment too low in a county, they do as they did in Orangeburg; they quadrupled the amount of taxation in Orangeburg; they said it was not enough.

Question. Without seeing the property at all?

Answer. Yes, sir; without seeing it. It was done by the board of equalization at Columbia. They made it four times what it had been assessed at, and they doubled it in a great many counties. There were very few counties where they did not add something, and if they diminished it in any county I do not know where. The property of South Carolina is assessed and taxed in round numbers at one hundred and eighty millions of dollars. I do not think it would sell in any market for one hundred

millions, for South Carolina has vast tracts of poor land. I think property is assessed there at about twice its value.

Question. On an average?

Answer. Yes, sir. I will instance one case in Clarendon, where a tract of land had been offered two years for \$5,000, and they assessed it at \$15,000, and the owner could not get the board of equalization to do anything about it. Taxes seemed to be assessed with a view to the supposed necessities of the State for revenue, rather than to the value of property.

Question. A sweeping assessment made in particular localities, without any knowledge of the property at all?

Answer. Yes, sir. The taxes assessed upon South Carolina this year for State purposes is over four millions of dollars.

Question. For State purposes alone?

Answer. The State tax is over four millions for this year.

Question. Up to 1866 and 1867, what was the general taxation in South Carolina for State purposes?

Answer. I cannot tell you anything about 1866 and 1867, for we were then under a military government. Prior to the war the taxable property of the State was about four hundred and eighty millions of dollars, as against one hundred and eighty millions now; and I think the taxes raised for State purposes averaged about \$400,000.

Question. And the tax is now about ten times that much?

Answer. Well, I must state, in justice to all parties, when I say that the tax is over four millions of dollars this year for State purposes, that they have crowded two years into one. Of course the tax for last year was due and collectable by law this year. The legislature passed an act making this year's taxes due and collectable this year also. It was a different system from that we have had. When I say that over four millions of dollars is levied this year for State taxes, I mean to say that they are trying to collect two years' taxes in one year.

Question. In the present condition of the State, what effect has that upon the property of the people?

Answer. It is very depressing. If the scheme is carried out, and it is insisted that the taxes be paid, I think it will amount to a confiscation of one-third of the land in South Carolina, for the planters simply cannot pay it. They made a large crop of cotton last year, to be sure, but it was in a very extravagant way; they bought fertilizers very largely; the cost of producing the crop, in consequence of the purchase of fertilizers, and the expense of labor, made it very expensive to raise the crop. They raised a crop to sell at 20 cents a pound, and they were compelled to sell it at 12 cents a pound. If they could have held their crop they would have done well, but they could not do it. And in addition to that, putting a double tax upon them must amount to the confiscation of a large proportion of the property of the State.

Question. In addition to these heavy taxes for State purposes, have you also a tax for local county purposes besides?

Answer. O, yes.

Question. Explain to the committee what is the general character of that tax; whether it is oppressive, or otherwise; who imposes it, and how it is generally expended.

Answer. The taxation for county purposes is for making and repairing roads; building and repairing bridges; the support of the poor, and the administration of justice in the counties. Under our law, as it now stands, the county is compelled to pay for the entire system of judicial administration, except the salaries of the judges. They pay jurors, they pay witnesses, they pay sheriffs for dieting and keeping prisoners, for the expense of arresting them, and everything of that sort. All expenses of that sort are borne now by the county; formerly they were borne by the State. That makes the taxation in the county large, especially where, in the multiplicity of trial justices, a great many people of all sorts and conditions almost, except very few white people, are arrested for various supposed crimes and sent forward for trial. The fees for trial justices are paid by the county, and the fees of the solicitors are paid in the same way.

Question. Do not these immense local burdens, applied as they are and used as they are, add very greatly to the discontent of the people in the localities where they occur?

Answer. Undoubtedly they do, and more particularly because the county commissioners having charge of them are generally people who have very little interest, if any, in common with the community. Generally they are colored men, who are desirous of making what they can out of the people, or else adventurers who want to do the same thing. I know of no instance in my part of the State where the county commissioners are men who have had any stake at all in the community. In the northern part of the State it is somewhat different; in the counties of Pickens, Anderson, Spartanburg, and other counties, with an overwhelming white population, the men they have themselves elected are of a different stamp; the taxes imposed are lighter, and they are perfectly satisfactory. They have a very good administration of local affairs in those counties.

Question. In the bulk of the State it is otherwise?

Answer. In the lower part of the State and in the middle of the State the commissioners are of a very different character. Then in regard to municipal corporations, I suppose the city of Charleston is the most oppressively taxed of any city in the world.

Question. That is in addition to the State and county tax?

Answer. Yes, sir.

Question. How is that caused in Charleston?

Answer. It is caused in two ways. First, by the debt before the war, for internal improvements, one million of dollars to the Blue Ridge Railroad, and large amounts to other railroads. I suppose the debt of Charleston before the war was five millions of dollars. The administration of affairs since then has increased that debt, how much I am not able to say. Its debt has been constantly increasing, and its credit constantly diminishing. I rent a house of a widow lady for \$600 a year, and she told me, I think, that after paying insurance and taxes—she made a very small amount of repairs, perhaps forty or fifty dollars' worth—she had less than \$200 left from the rent of her house.

Question. Do you regard that as a pretty fair average statement of the condition of things?

Answer. I should think it was. Rents are low as compared with other cities, perhaps, but it does not take much of a house there now to have three or four hundred dollars taxes on it. The taxes are enormous; there is no doubt about that. Perhaps the per cent. levied is not greater than in other States; but I am informed that in other States, in New York, for instance, property is never listed at its value, but below it. In South Carolina it is listed at double its value. It is not so assessed, but before it gets through the board of equalization it amounts to that.

Question. Have the expenses of the legislature and of the general management of affairs there been increased?

Answer. They have been doubled and quadrupled, as the case may be. Of course that statement is involved in the one in regard to the expenses of the State government. Before the war the expenses of the State government were, say, \$500,000; since the war they have been one and a quarter millions.

Question. Who are the men who generally compose your legislature and your State government; how many of them are bona fide citizens of South Carolina, and among the white persons, what is the proportion among the members of the State legislature of men who have gone down there since the war, and what is their tax-paying liability?

Answer. There is a very small proportion of the legislature of South Carolina that has emigrated to South Carolina. There are not many such men in the legislature, a few scattered about here and there. They are the leading men, but they are not numerically anything like as strong as the native element. The majority of the members of the legislature are colored men, to begin with; some of them have come from other States, but the most of them are South Carolinians. Then there are some native white members—I know several—of the republican party; there are perhaps fifteen or twenty, or ten or fifteen white men belonging to the legislature of the republican party, who are natives of South Carolina. Then on the other side of the house, of the democratic party, there are probably thirty or forty members, who are nearly all South Carolinians; but of the dominant party a large majority are colored men and are native South Carolinians.

Question. I do not want to go into the details of legislative expenses and extravagances, because we have had that gone over by other witnesses sufficiently in detail perhaps. But I will ask you how far, if at all, the incompetency or corruption, or both, of local officers has given rise to or been made the pretext for outrages committed upon them in the State of South Carolina? Do you know anything upon that subject?

Answer. I do not know that I fully understand your question.

Question. It has been charged that outrages have been committed on local officers in your State, and that it has been simply from political motives. I want to know whether those outrages, so far as you have heard, have been perpetrated upon those officers because they were republicans; or whether under pretense of some wrong, extravagance, corruption, or misconduct of the men themselves?

Answer. I do not think that politics have had anything to do with it in any case.

Question. Whatever outrage has been committed it has not been because they were republicans?

Answer. I do not think so.

Question. But it has been to revenge real or supposed grievances?

Answer. It has been done for the reason, or under the pretense, that they had been guilty of wrong, or crime; done as a retaliatory measure.

Question. According to your information it has not been done to make them change their political status, or to vote otherwise than they had been doing before?

Answer. I do not think so. I do not think there is any feeling in South Carolina on that subject. I think the people of South Carolina, so little do they care for or are

wedded to any political party, would be willing to go with any party to-morrow that would give them protection from this standing abuse and wrong. I think they would be willing to surrender any preference they had in regard to national politics in order to be delivered from this body of incompetency and corruption. Indeed I have heard many leading men say they would go with that party they could make the best bargain with for their protection.

Question. Then I understand you to give it to the committee as your opinion, from your knowledge and information, that it was not hostility to the Federal Government, or a desire to overthrow any of its great fundamental principles, or to punish men simply because they belonged to the republican party, that these outrages have been committed in any instance?

Answer. I do not believe that either of those causes had anything to do with bringing about these outrages.

By the CHAIRMAN, (MR. POLAND:)

Question. How extensive, do you think, is this secret organization that you speak of, by which these outrages have been committed in your State?

Answer. I think it was in existence in York, Chester, Fairfield, Spartanburg, Union, Laurens, Abbeville, Newberry, Edgefield, and Clarendon Counties. It might have been in existence in other parts of the State; I was not a member of it, and of course know nothing of it except from its cropping out, and what I learned from other sources of general information. I do not think it had any existence in the State much more extensive than that. I think that at one time it threatened to extend over a large area, but that was not consummated.

Question. In what form did this organization show itself; what was its manner of operation?

Answer. Well, I believe it was a military organization. So far as I am advised, it showed itself in first warning its objects, its subjects, of some supposed offense, and directing them to leave the country, or to vacate their offices, as the case might be. If they did not do that, I think they followed it up by personal violence in many instances.

Question. And when they appeared for the purpose of carrying anything into execution, was it the general and universal practice for them to go in disguise?

Answer. I think so.

Question. They were bodies of armed men in disguise and operating in the night time?

Answer. That is my understanding of it?

Question. Did you never hear of any bands of these disguised men appearing to do any of these acts in any other counties than those you have intimated?

Answer. If I have, it has escaped my mind at this time; I do not remember any other.

Question. Have you any idea of the class of men that generally composed this organization?

Answer. Yes, sir; I have some idea.

Question. What is your idea of the class of men of which these organizations are made up?

Answer. Well, I think a great many of them were very respectable men in the neighborhood where they lived; I do not think they were confined to a low or desperate class of people.

Question. You disagree in that particular with other gentlemen from your State.

Answer. I can only give my own opinion about it; I am not responsible for their opinions. My own impression is that very good men were in that organization.

Question. And concurred in and aided in these acts of violence?

Answer. I think so.

Question. It has been stated here, by men of your State, that the men of substance and respectability of all parties always disapproved of it and spoke against it—disapproved of it in every way; is that true?

Answer. Of course I do not think it altogether true, but I think it is true with this qualification; I think that throughout the State the general body of the respectable people disapproved of it; I think that that was the general feeling; and where the organization existed, I think that there were a great many people who disapproved of it. But still I think there were a great many respectable people and well-meaning men who were engaged in it. I think so for a variety of reasons that I could not detail.

Question. In those counties where it existed, do you think any considerable portion of the white people, people of substance, such as those who belong to the democratic party, disapproved of it?

Answer. I think a large portion of them did disapprove of it, even in the counties where it existed.

Question. But you think that some portion of the respectable people, the people of substance, not only approved of it, but actually participated in it?

Answer. I do; that is my conviction about it.

Question. Have there been a great many men killed by these bands of disguised men, by this organization?

Answer. There have been several, I do not know how many.

Question. Do these organizations commit a great many other acts of violence, whipping, beating, &c.?

Answer. Something of that sort; yes, sir. I think they are more apt to resort to that than to killing.

Question. Are these outrages, killing, whipping, &c., generally against persons who hold official places?

Answer. I do not think they are confined to them at all.

Question. Well, was that generally the case?

Answer. Well, I think in many instances it was so, though I do not really know; I could not tell without going into detail.

Question. According to your information do you think that generally this violence was directed against persons who held official positions?

Answer. Well, I think very frequently it was.

Question. Were not a great many of these acts directed against persons who held no official positions?

Answer. Many of them were, no doubt about that.

Question. Do you think that this violence that was done was always done against persons who were charged with some offense?

Answer. So far as I know, I do.

Question. And you do not believe that it was ever perpetrated against men merely on account of the political opinions they entertained, or the political party they supported?

Answer. I do not believe it was.

Question. Not in any instance?

Answer. In none within my knowledge. I know that in each case wherever I heard of any violence, and the reasons were alleged, there was some local account of it, and reasons were given why it was so, this way or that.

Question. Why the man was offensive or obnoxious?

Answer. Yes, sir.

Question. And you have never heard of any case where his offense consisted merely of his being a republican, an active republican?

Answer. No, sir; I never have. Still I want to say this: I think that in some instances the mantle of the brotherhood, or whatever they are called, has been assumed to cover private lawlessness. I have no doubt that in certain instances men have been attacked, shot, and all that sort of thing, when this organization had nothing to do with it; private feuds were the cause of the acts, and this means was taken to gratify their revenge. I think that was certainly the case in regard to Dr. Winsmith, of Spartanburg, from all I can hear about it; everybody has told me so. I think he was at one time of that impression himself. I have no doubt that certain bad men have assumed the form of this brotherhood, who had nothing to do with it.

Question. Who were not really members of it?

Answer. Yes, sir; they assumed the garb for the purpose of gratifying their private malice, without having anything at all to do with it. I believe this, because wherever the organization has been you can see in the line of the conduct they have pursued a great deal of regularity; they seem to have had a plan of organization.

Question. To have had a method?

Answer. Yes, sir; but in the other cases of which I have spoken, some of which you may allude to, it seemed to be so at variance with their ordinary plan of procedure that I could not account for it, except that some bad men had assumed the garb to gratify private malice.

Question. In the case of Dr. Winsmith, you have heard of something to account for the attack on him; what was that?

Answer. I believe that in that case it was the result of personal enmity. Dr. Winsmith had a great many enemies there; he had been a man of prominence, a man of strong will, and of strong methods of expression. For a series of years, long before I went there, he had violent personal enemies in the county. My own impression is from what I have been told, without knowing anything about it, that the shooting of Dr. Winsmith was the result of those private feuds, instead of being an act committed by this organization.

Question. One gentleman told us here that he thought that Dr. Winsmith had very recently changed politically, and that he had a selfish end in that. Do you think it was anything of that sort?

Answer. No, sir; he has not changed his politics recently. I suppose he was a known open republican more than a year before the last election.

Question. Was he a man of good character?

Answer. I think so, without exception.

Question. Have you heard of any personal difficulty that he had with any man?

Answer. Do you allude to any particular transactions?

Question. Yes, sir.

Answer. No, sir; I do not know, for I live at a long distance from that place. I instance that as one case where I thought it was the result of ill-will. I was apprised that Dr. Winsmith was at one time of that opinion himself. I must say, however, in justice to him, that later I have understood that he does not think so. It would be strange if in such a country, men would not gratify personal revenge in that way, when they saw so good a cover for them to do so.

Question. You do not believe that this organization had at all in view political matters, or any design to affect the condition of parties or the results of the election?

Answer. I do not know what it might have been in its inception; I do not think that in its operations in South Carolina it had any such thing in view.

Question. You have no idea that it was intended at all, or was used, for the purpose of deterring men from voting as they might wish to vote?

Answer. Upon that subject I can only speak with reference to the last election; I do not know anything about the other, because at that time I was very little acquainted in the upper part of the State. I heard of the disturbances there, but what they were I do not know. I think, from all I know of this up-country, that there was intimidation there in 1868, and perhaps violence. There was some violence, there is no doubt about that.

Question. Was it done in this manner by armed bodies of men in disguise?

Answer. Well, I do not know about that; not to my knowledge. But at the last election, I know there was nothing of that sort in the State from any party, that could possibly have been connected with it in either way. The only people who intimidated anybody were on the other side of the house. There never was a more free election, and never could be, than the election of last year, so far as the white population were concerned. I have never in my life seen more forbearance with such gross provocation. I confess that I was myself at the fighting-point a great many times, but I did not find anybody at my back. I confess I thought I had a right to speak in public in my own meetings without any rocks or bullets; they did not seem to think so.

Question. You went to South Carolina as a republican?

Answer. Yes, sir.

Question. After you had been there some time you were elected by the legislature judge of one of the circuits of the State?

Answer. Yes, sir.

Question. You were then understood to be identified with the republican party politically?

Answer. Yes, sir.

Question. When you ran for governor, at the last election, you did not profess to have made any change at all in your political sentiments?

Answer. No, sir.

Question. So far as general politics were concerned you held the same ground and preached the same doctrines that you had before?

Answer. So far as general politics were concerned I announced myself to be a republican; I said that I had voted for General Grant, and so far as I knew was in personal harmony with the republican party. I did not discuss general politics at all; I confined myself solely to State politics.

Question. You profess still to entertain and support the same principles in national politics that you did before?

Answer. Yes, sir. It was well understood when I was nominated that I was a republican, and it was so understood all through the canvass.

Question. There was no democratic candidate?

Answer. No, sir.

Question. You were supported by the democratic party universally?

Answer. Well, sir, very generally; there might have been exceptions.

Question. You were supported by them as a party? I do not mean that every single man of the party voted for you.

Answer. Yes, sir; that is true.

Question. What was the majority that Governor Scott purported to have received in that election?

Answer. I think about thirty-three thousand.

Question. Do you think that if there had been a fair count of votes between you and him you would have had a majority over him in that election?

Answer. Well, I do not know, I think it was a very close race; I am not prepared to say that I would have had a majority.

Question. But you think he was not entitled to have any such majority as they counted for him?

Answer. No, sir; I am certain there was no such majority.

Question. What was the relative proportion of registered voters of the State, white and colored?

Answer. The white voting population was about sixty-one or sixty-two thousand, and the colored voting population about ninety-one or ninety-two thousand; there was about thirty thousand difference; that is, it so appears by the census. We have no registry that shows it, but it appears by the census taken by the State authorities. That census was taken something like a year before the election, and a large number of the colored people had emigrated in the mean time to Arkansas, Alabama, and Mississippi, where wages were much higher. A great many planters had gone from South Carolina and were planting in that region, and they had taken off with them a large number of the colored laborers. I think that decreased the number as shown by the census, some four or five thousand.

Question. You do not think there was so large a majority of the colored voters as that census showed?

Answer. I think that about twenty-four or twenty-five thousand was a fair majority of the colored voters.

Question. Saying nothing about State issues, and putting the matter upon the general principles of the parties to the contest, the political sentiments of the colored people of South Carolina, as between the republican and democratic parties, are with the republicans?

Answer. Unquestionably republican.

Question. Almost universally so, is it not?

Answer. An overwhelming majority. There is a minority of colored people who are conservatives, or democrats, whatever you may call them.

Question. If you got any considerable number of the votes of the colored people you expected to get them on the ground of their dissatisfaction with the state of things in South Carolina?

Answer. Yes, sir; on that ground only.

Question. How many white voters do you think there are in South Carolina who vote the republican ticket?

Answer. Very few.

Question. Have you any judgment as to the number of white republicans who are voters in the State?

Answer. I think the white republican voters in the State bear about the same relation to the other party that the colored people do; there is an overwhelming majority the other way.

Question. An overwhelming majority of the whites are democrats?

Answer. There is no doubt about that.

Question. But there are some of them who are republicans?

Answer. Yes, sir.

Question. Have you any judgment as to the number of white voters in your State who vote the republican ticket?

Answer. Well, I do not know; it would be a mere guess.

Question. I would be glad to have your judgment, if you have any, on the subject.

Answer. I think likely they can poll two thousand or three thousand votes; I should think that would be the extent of it.

Question. In conducting the canvass during the last election, your whole endeavor was to show up the mismanagement in South Carolina, was it?

Answer. That is the fact.

Question. That they were not only very extravagant in their expenditure, but that they were corrupt in it?

Answer. Yes, sir.

Question. That a great deal of the money that was spent, was spent without being expended at all; that there was much extravagance in their expenditure?

Answer. That certainly was my line of argument.

Question. And you argued to the people that in consequence of this wasteful extravagance and corruption of the State government, the taxes were immensely increased, and the burdens upon the property which had to support the government were greatly enlarged?

Answer. Yes, sir, I argued that. Their reply to me was, that the negroes of the State did not pay the taxes.

Question. And they on the other side attempted to controvert that as well as they could? You say that was pretty hopeless, that they could not make much headway on the direct issue of the fact of extravagance and corruption?

Answer. They did not deny it.

Question. But they argued to the colored people that it did not hurt them?

Answer. Yes, sir; that they had no property to pay any taxes on.

Question. That it bore only upon those people who owned property?

Answer. Yes, sir.

Question. And that that was no reason why they should not continue in the support of republican principles?

Answer. They said that that was a reason why they should continue, so that they could tax the white people out of the State, and thus give the land to the negroes.

Question. And in that way they were to be benefited?

Answer. Yes, sir; that was the argument.

Question. Now, in all the incendiary speeches that you stated were made, was it claimed or argued to the colored people that they were to do any violence in any way to the whites or their property, except to let this tax go on, and in that way wear them out?

Answer. Well, for instance, Crews—

Question. Will you not tell us precisely what he said?

Answer. I cannot give you his exact language.

Question. Well, state substantially what he said.

Answer. He said substantially what was published in the papers—that these people had a right to all this property, and if they wanted it they should go and take it, and if the white people made a fuss about it they should burn down their houses, and do anything to them they liked. There is no doubt about that; if he said it once he said it fifty times.

Question. You say he told them that they had a right to go and take this property?

Answer. Yes, sir; he said that. And not only that, but he gave them a practical example, by getting together one hundred and fifty men and marching with them over the country everywhere, and taking property; in that way he gave a practical illustration of the doctrine.

Question. What did they take?

Answer. I do not know what they took; they marched over the country, and did as they pleased, threatening and frightening everybody. I do not know what they took, for I was not there.

Question. That is a pretty broad statement. Do you know that they did any act of unlawful violence to any person or any person's property?

Answer. I know only what I heard, and I believe it was true.

Question. You cannot state any particular person or person's property that they violated?

Answer. No, sir; I do not know that they took anything, but I heard so; I did not intend to lay much stress upon that matter.

Question. It is a pretty important matter if it is true.

Answer. I mean to say I did not intend to lay much stress upon hearsay in regard to their taking anything, but that they were armed and paraded and ranged over different portions of Laurens County, to the terror of the people there. There was no more doubt about that than that there was a confederate army in existence.

Question. Have you any information that they hurt anybody or injured the property of anybody?

Answer. I do not know what they took, or who they hurt.

Question. You heard that the people were scared and frightened?

Answer. There is no doubt about that—they were frightened.

Question. Who is Crews?

Answer. He is a member of the legislature of South Carolina.

Question. Is he a white man?

Answer. Yes, sir; and a particular friend of the governor there; I believe he is a native South Carolinian.

Question. Where does he live?

Answer. At Laurens Court-House.

Question. Now, about the arming of the negroes; all those who were armed by the governor were armed by law as regular State militia?

Answer. Not exactly State militia. They were called the National Guard.

Question. It was an organization under the law of the State?

Answer. Yes, sir; but it was not at all like any militia law that I have ever seen or known anything about.

Question. But it was a kind of volunteer militia which that law authorized?

Answer. It was a volunteer militia authorized to be submitted to the governor and accepted by him, and when accepted it then became a part of what was called the National Guard, and they were then armed.

Question. You say that you have no idea that Governor Scott, in doing this, intended to create or to provoke an armed conflict between the whites and blacks?

Answer. I do not think he did.

Question. You said that he knew very well that in any armed conflict between the two races the blacks would go down?

Answer. Yes, sir; I think he knew that much.

Question. Well, sir, did not everybody know that, too?

Answer. No; everybody might not know that, too.

Question. Do you not believe that the white people of South Carolina knew perfectly well that there was sense enough among the negroes not to provoke an armed contest between the blacks and the whites?

Answer. I do not know about that; they did things a great many times that might

have provoked a contest without a great deal of forbearance. You must remember that the white population of South Carolina is very unequally distributed. Take the county of Georgetown; there are there four or five thousand colored voters, and not more than three hundred and fifty white voters. With their arms they could there have utterly annihilated the white people in the immediate localities. What I spoke of was a contest in which the people of the State would be engaged.

Question. In your judgment, and in the judgment of any sensible man, could there have been an armed conflict in one county that would not have become general?

Answer. I think it would have been very apt to have become general.

Question. Do you not believe that the colored men themselves knew perfectly well that any excesses of theirs would be certain to bring on an armed conflict?

Answer. I think that was the general opinion of the more intelligent colored men, undoubtedly.

Question. The intelligent colored men govern the rest, do they not?

Answer. I do not think that exactly; I think the white people pretty much govern the intelligent colored leaders, and that the colored leaders govern the colored people; that is about the way it goes.

Question. Then let me apply that same question to the white republicans of your State, who you say are the real leaders. Do they not understand that every political and personal interest of theirs requires that they should not have an armed conflict?

Answer. I do not think they intended to have any armed conflict; but I think they intended to have that sort of exasperation and excitement that would secure their triumph. In my judgment they knew that their defeat was their utter ruin in every conceivable sense.

Question. Do you believe that any portion of the controlling and leading men of the republican party, whether white or black, deemed it for their political interest to get up an armed conflict?

Answer. I can only answer the question as I did before, that I believe they had been so reckless and guilty in their conduct that they were disposed to take desperate chances rather than to be defeated. But I do not think they wanted an armed conflict.

Question. You do not think they intended to have it?

Answer. No; I do not think they wanted it.

Question. Was it not to their interest, in every way, not to have an armed conflict?

Answer. If they could succeed without, it was.

Question. Was there any increased chances of success by bringing on an armed conflict; did anybody think so?

Answer. I do not think there would have been any increased chances of success for them.

Question. You say that you think the main purpose of having this militia organization was to keep the colored people all in political line?

Answer. I think that was the real object. I think that was the object of the organization at first, probably connected with another.

Question. You think that without that organization, without the undue influence exercised by it upon the colored people, some considerable numbers of them would have voted for you?

Answer. I know that numbers of them did as it was; but it was in the localities where they could not be overawed in this way.

Question. You think that more would have voted for you if they had had an opportunity to give a free expression to their sentiments?

Answer. I could give a fact to illustrate it. In the city of Charleston, where we had a United States officer to act as a committee to remain with the ballot-boxes, there was a majority of nine hundred and sixty-one colored voters in the city, and yet I carried it by several hundred votes.

Question. That was where you lived?

Answer. Yes, sir.

Question. They there generally knew you personally?

Answer. Yes, sir, no doubt of it.

Question. During this canvass, was it not true that the republican leaders, every where in all their speeches, said that this name under which you ran for republican reform was only a device; that it was really the old contest with the democratic party?

Answer. Yes, sir. I should say that was true; no doubt of it.

Question. They said that?

Answer. Yes.

Question. And that they believed it was really nothing but a device to draw voters; that the name "republican reform" was intended for that purpose?

Answer. It was not called "republican" at all. It was never charged that it was a republican party; they said that the reform party and the democratic party were the same thing.

Question. Well, substantially it was?

Answer. No, sir; I do not think so. As I said before, it had no national political significance whatever.

Question. What I mean was that the great majority of the votes you received were democratic votes?

Answer. The majority of the votes that I received, and all that I received, were given upon the ground that they thought I was honest and would faithfully administer the government of the State.

Question. I am not asking the ground upon which you received votes, but whether the great mass of votes that you received were not given by democrats?

Answer. There is no doubt about that.

Question. And it was asserted by all the republican speakers that it was nothing more or less than a contest between the republican party and the democratic party as before?

Answer. Yes, sir; that is true. They admitted all I had charged them with in regard to corruption, but promised to reform; or they did not deny the charge of corruption, but said they were going to reform when they got in again.

Question. Can you name any other gentleman who argued to the colored people that they had a right to go and take the property of the whites?

Answer. I do not know that anybody else said so in so many words, but I myself heard a great many speeches last summer from different people, in which they said that all the property rightfully belonged to the people whom they were addressing, and not to the temporary occupants; that was the key-note of the campaign.

Question. That was in answer to your argument that the people should overthrow the State government on account of the burdens imposed upon property?

Answer. I argued that the government imposed greater burdens upon labor than upon property; that was my argument, and I am inclined to think that I was right.

Question. I do not propose to go into a discussion of political economy. I am inquiring about what they said to the colored people in relation to these burdens upon property. Of course the tax was laid directly upon the property?

Answer. Yes, sir.

Question. Did it, in form, tax labor?

Answer. No, sir.

Question. They said to the colored people that instead of doing them harm it would do them good?

Answer. Yes, sir; that they ought not to complain of the fact that these heavy burdens were placed upon the property of those people; that was the argument. I do not propose any discussion either, but I want to state correctly the position I assumed.

Question. I was merely alluding to what you said for the purpose of getting at what they said; what was the idea that they conveyed to the negroes. What I wanted to get at was whether the republican leaders in that campaign counseled violence?

Answer. My answer to that is this, and you will understand it perfectly; in the whole campaign, with here and there an honorable exception, the speeches that were addressed to the colored people were of a kind intended to arouse their passions, to make them dislike and hate the white people, by setting them at variance with the white people; that is the simple truth.

Question. They said to them, I suppose, that these white people in South Carolina, the old residents there, would have continued to hold them in slavery if they could, and had never voluntarily given up slavery?

Answer. Yes, sir; and they said to them "You used to be lashed, you used to be sold, and your wives and daughters used to be outraged," and all that sort of thing.

Question. That was all true, I suppose?

Answer. One of the members of the House of Representatives of Congress said, in a speech in Columbia, that I happened to hear, "I am an illustration of the only love they had for the colored race; the tid-bits of sexual intercourse;" that is a speech made by a member of Congress.

Question. What they said in regard to these people while they were slaves I suppose was substantially true?

Answer. I do not know about that; I do not think it was the rule to mistreat or to beat slaves; that was not my observation.

Question. They undertook to present to them the wrongs which they had suffered while they were slaves?

Answer. Yes, sir; they did.

Question. And they said that these people would have continued them in that condition, if they could?

Answer. Yes, sir; and that they would put them back into slavery if they got into power.

Question. Did you consider that was a legitimate line of argument?

Answer. Well, after I saw two or three crowds shot into, and after I was the subject,

on different occasions, of a few rocks, I considered it, to say the least, rather excitable to the colored people.

Question. Did not the colored people feel a little hostility to you in leading what they conceived to be a mere democratic movement?

Answer. No, sir. I think most of the colored people of South Carolina feel as kindly toward me as toward any man in the State.

Question. I am not speaking about personal feelings, but of you as a politician in that campaign, being a leading man on the ticket of what they esteemed to be the democratic party. Did not they feel a little more aroused against you than if you had been a democrat?

Answer. No, sir; I do not think so. It was the politicians that always started that cry among the people. The leader of the Union League at Newberry, after I had made a speech there, said to me, "If you were not the candidate for this reform party the colored people would carry you all about town on their shoulders. You have talked right to them."

Question. Did not the republican speakers in that campaign make some capital out of the fact that you, a republican, was taken up and was running on what they called the democratic ticket?

Answer. O, undoubtedly.

Question. Do you not think that some feeling was engendered against you on that account?

Answer. Undoubtedly; but the principal feeling engendered against me among the republican leaders themselves was not on that account, but because I did not get out of the way and let them take the place themselves. The republican leaders were very anxious to divide the party, and the way it was done did not suit them.

Question. Do you know of any instance, any case where these companies of armed negroes, who had been organized into military companies, ever made any attack upon anybody?

Answer. O, yes; at the elections; there is no doubt about that. On the islands that I spoke of they drove off the men who went there either without or with tickets. They would not let them stay on any account—took the tickets away from them, and drove them away.

Question. Colored men?

Answer. White men; they took the tickets away from the white men who went there, destroyed the tickets and would not let them stay. They were not sent there to vote, but they were agents of the different wards sent out to distribute tickets, to be at the polls for the purpose of distributing tickets.

Question. And these persons thought they had no business there?

Answer. They said they had none at all, that they could not stay there, and they did not; some of them were very roughly handled.

Question. Do you know of any case where any of those colored companies—I am not now speaking of the election, or what took place on election day—do you know any instance where they ever made an attack on anybody?

Answer. As a company, in a company organization?

Question. Yes.

Answer. No; I do not know of any. I expect the killing of Stevens came as near about it as anything that was done.

Question. That was a case up at Union?

Answer. Yes. I do not know of any attack they ever made on any whites or anybody else.

Question. That was a controversy about whisky?

Answer. I do not know what it was about; you have had witnesses here who know more about it than I do. But I know that at various meetings which we had, they were there and armed in a manner which was very well calculated to frighten particularly the colored population. They were overawed by that organization; no doubt about it.

Question. A word about this State debt. It seems that the legislature passed an act authorizing the issue of \$500,000 in bonds to pay the outstanding debts against the State?

Answer. A certain class of outstanding debts, bills receivable.

Question. You say the amount of bills receivable of that class of debts was only about half as much as the amount of bonds to be issued for that purpose?

Answer. A little more than half.

Question. Well, that does not affect this statement of the comptroller general of your State; because the statement is that the State owes \$500,000 on account of these bonds. That is truly stated, is it not?

Answer. I suppose so.

Question. What you mean is that they ought to have issued only about half as many bonds as they did for that purpose?

Answer. That is what I mean.

Question. And the comptroller's statement is true to that extent?

Answer. Yes, sir.

Question. You do not mean to say that his statement is incorrect?

Answer. Not in that particular.

Question. The comptroller in his statement, after giving the acts authorizing the issue of the various classes of bonds, says that there remains in his hands unsold, \$2,200,000 in bonds.

Answer. Yes, sir.

Question. Do you say that is not true?

Answer. I say that as I understand it a large portion of that amount, if not all, has been hypothecated by the State agent in New York, and money borrowed on the hypothecation.

Question. That is, he had borrowed money and deposited these bonds as security?

Answer. That is just what I mean to say.

Question. What is your authority for that?

Answer. He is my authority, for one.

Question. Who?

Answer. Mr. Kimpton. Governor Scott is my authority for another; and I think every State official is my authority; I never heard it denied; I never heard anybody pretend to deny it.

Question. What was this money borrowed for?

Answer. I do not mean to say that these persons have stated to me the amount of bonds that has been hypothecated; but they have stated to me that a portion of these bonds were hypothecated; what amount I do not know.

Question. Have they said that any portion of this twenty-two hundred thousand dollars of bonds, which the comptroller says he has on hand not sold, has been hypothecated?

Answer. Certainly, those are the only bonds that could be hypothecated; the others have been sold.

Question. They have told you that some of those bonds have been put up as collateral security for money borrowed?

Answer. Yes, sir; and I think a very large portion of them have been.

Question. Did any of them tell you how much?

Answer. No, sir; but I know something of the operations of the finance department, and I know that a great many of them must be put up in that way.

Question. We have an official statement here.

Answer. That official statement does not say that any of them have been hypothecated.

Question. The statement says that that amount of bonds remains on hand unsold.

Answer. I say that a large portion of these bonds have been hypothecated in the New York market.

Question. Do you know how much money they have borrowed on the faith of these bonds?

Answer. I do not.

Question. Do you know what was done with it?

Answer. Well, no, I do not know that.

Question. Have any of these men told you what was done with it?

Answer. I have heard that some of it went to pay the legislature for passing those acts in regard to the railroads, and that a great deal of it went to pay for the Greenville and Columbia Railroad.

Question. From whom did you hear that?

Answer. It is common rumor in South Carolina; that is all I pretend to know about it.

Question. I have no doubt myself but that things have been badly managed down there, but we want, if we can, to ascertain exactly how badly things have been managed.

Answer. It is impossible for anybody but those parties to give you that information, for they do not keep their accounts open for public inspection. There was a tax-payers' convention in South Carolina some time since, and in their proceedings it appears that it was stated to them by the State officers that a portion of these bonds had been hypothecated. I was not there, but that is the statement in the published account of their proceedings.

Question. The comptroller general, who makes this official statement, says in his certificate: "The comptroller general, in view of the interest manifested in the condition and management of the finances of the State, deems it proper to present, for the information of the public, the foregoing exhibit; and, in doing so, takes occasion to remark that it will afford him pleasure, at all times, to furnish the fullest information relative thereto; more especially would he be pleased to receive and exhibit to a committee from the tax-payers' convention, to assemble on the 9th instant, the books and records of his office, and to show openly, in detail or otherwise, the manner in which its affairs are conducted."

Answer. Yes, sir. Well, the comptroller general I know pretty well. Of course some part of my statement and some part of my opinion is based upon my knowledge of this man. When a man like the comptroller general went to Columbia poor, and has now become a rich man on a salary less than what it costs him to live, as a matter of course I distrust very much his integrity; and the same thing is true of a great many other officials.

Question. You do not believe that these twenty-two hundred thousand dollars of bonds is on hand in the possession of the comptroller general?

Answer. No, I do not. The treasurer does not pretend to have them. They say they are in the hands of the financial agent at New York; they do not pretend to say that they have a dollar of them. They admit that they have gone from them, at least that is my reading of it.

Question. He says, "of which the following have been sold by the financial agent;" and then he gives the sums, amounting to one million of dollars. And then he says, "leaving unsold in his hands, November 1, 1870, \$2,200,000."

Answer. That is in the hands of the financial agent.

Question. Who is he?

Answer. H. H. Kimpton.

Question. Where does he live, or where does he do business?

Answer. At No. 9 Nassau street, New York.

Question. Was he appointed financial agent of the State of South Carolina?

Answer. He was appointed under an act of the legislature by the financial board of South Carolina the financial agent of the State of New York.

Question. Is he a resident of New York?

Answer. O, yes, sir.

Question. He never has lived in South Carolina?

Answer. Never. He makes advances of money for them, receives their bonds, and all that sort of thing.

Question. Now a word about the mode of assessing property of which you have spoken. In the first place, real estate is appraised or assessed by an officer in the county, the auditor.

Answer. Yes, sir.

Question. And he sends that assessment up to the State auditor, and then there is a State board which equalizes the assessments?

Answer. Yes, sir.

Question. Do they take the assessments of a particular county and undertake to alter them?

Answer. Yes, sir. They just alter them by an order, raising or depressing the assessments so much, without going into particulars.

Question. For the whole county?

Answer. Yes, sir.

Question. They do not undertake to take the appraisal of the property of any particular individual in the county and raise it without raising the others?

Answer. No, sir.

Question. They do just as we do in our State, direct that a certain percentage shall be added to the appraisal of one county, or take off the appraisal of another county?

Answer. That is the way they do, except that I never heard of their taking any off.

Question. They can do so if they choose.

Answer. Yes, sir; the law allows them to do so.

Question. The purpose of that board of equalization is to make the assessment equal and fair throughout the whole State?

Answer. That is the external purpose.

Question. Do you complain that they have made it unequal between counties; is that the complaint?

Answer. No, sir.

Question. They have made it all too high?

Answer. The complaint is that they have made it all too high.

Question. That the appraised value of the real estate in your State is a great deal more than the value of the property?

Answer. That is what I believe.

Question. Now how does that harm anybody?

Answer. It seems to me it is very perceptible. The rate of tax levied is fixed by law at so much on the dollar, say 5 mills or 9 mills; suppose it be 9 mills on the dollar, as it is now. If my property is assessed for one thousand dollars, and the property of my county at \$100,000, and the board of equalization raises the assessment so as to make it for the county \$200,000, then I am really paying 18 mills on every dollar.

Question. If the appraisal was only half as much, they would have to double the percentage in order to raise the same sum?

Answer. The complaint is that the money collected in this way, after this outrageous assessment is made, is not used for public purposes at all, but is squandered.

Question. The real trouble is in their squandering the money; the assessment has nothing to do with it one way or the other. If you have a given amount of money to be raised for the purpose of carrying on the business of the State, for the payment of the debt of the State and for any other purpose, it makes no difference whether the property is appraised high or low, the burden would be just the same; would it not?

Answer. O, yes, sir. But if you want so much money, and if you make it double what it ought to be in order to enrich the officials and plunder the people, it is not a good thing for the people.

Question. Your real difficulty is in the dishonest expenditure of the money which is obtained in this way?

Answer. The real difficulty is in the maladministration of affairs generally in the State.

Question. Does it make any difference to the tax-payers if the assessment is equal upon them, whether it is high or low, so that a given sum is to be raised?

Answer. No, sir; if a given sum is to be raised. And I think that enormous as the taxation is, if the people of South Carolina were satisfied that it was for public purposes, and that the money was honestly expended, they would not grumble about it.

Question. You had a State bank in South Carolina?

Answer. Yes, sir.

Question. And the State was liable for the redemption of the bills of that bank?

Answer. Yes, sir; that was my opinion.

Question. Well, that is the law?

Answer. It is the law now because it has been decided by the supreme court of the State; and I think we may assume it is a fair interpretation of the law.

Question. Do not the books of the bank show how much there was of those bills outstanding?

Answer. Yes.

Question. How much was it?

Answer. I think about fourteen hundred thousand dollars; I will not be certain about that.

Question. The amount of bonds issued for the purpose of taking up these bills was not greater than the amount of the bills outstanding?

Answer. Not so great. But you must remember that that bank had been in operation from 1812. The only way the books showed anything was the amount of bills issued, and the amount which had been redeemed. Of course, during all the time from 1812 till this time, a certain percentage of the bills issued must have been lost, burned, or destroyed.

Question. If I understand you aright, what you suspect, and what other people suspect, is that there was not so large an amount of the bills surrendered and destroyed as bonds were issued for?

Answer. That is exactly what I suspect.

Question. Have you any good reason to suspect that?

Answer. I think I have. My reasons are two: First the character of the men who counted the bills; and second, the fact that the most notorious of them all, Joe Crews, shortly after the bills were supposed to have been destroyed, had \$30,000 of the bills of the bank of the State of South Carolina.

Question. Do you know that personally?

Answer. Well, I know it in this way; I know there was a suit about it in Columbia, and the record shows that when Crews was sued for money loaned to him on his note, he pleaded that \$30,000 of these bills had been left as collateral, and that because the bank had been robbed, and this collateral carried off, he should not be called upon to pay the note.

Question. Do you know when he deposited these bills with that bank?

Answer. I do not know the exact time; but it was after these bills were claimed to have been destroyed.

Question. Are you sure of that?

Answer. Well, I think so; I was not there; I have not examined it; I do not know; but that is my impression. I cannot imagine that he would have had \$30,000 of the bills of the bank of the State, which at the time they were funded were worth only 12 and 14 cents on the dollar, and have kept them, and allowed the act to expire under which he could have funded them dollar for dollar. I cannot suppose that about Mr. Crews; he certainly is not a fool, whatever else he may be. And, in addition to that, there is one other fact which I want to state, which was printed in the newspapers and never denied. I am a criminal lawyer, and I am accustomed to take points here and there and put them together and make out a case. When Mr. Whittemore was running for Congress the second time, after he had been expelled from the House of Representatives, among other places he went to Georgetown, and there made a public speech. Mr. Rainey, his successor, made a speech in reply to him, and commented very severely upon his supposed connection with the sale of cadetships. A man by the name of Jones, who was in the house of representatives in the State legislature, while Rainey was

in the senate, replied to Rainey very severely; and when he got through, at the conclusion of his remarks, as several gentlemen have told me, he said, "Now, if you open your mouth upon this subject again, I will tell what I know about counting the bills of the Bank of the State." And one thing is certain, Mr. Rainey never did make any speech afterward against Whittimore. That is another fact which makes me think there might be a little excess in that count.

Question. You spoke about election frauds, and of there having been a conviction of some election officer of unlawful practices?

Answer. Of ballot-stuffing.

Question. That was in the contest between Bowen and DeLarge?

Answer. Well, it was the same election. It was in reference to that congressional contest, but it was the same election, and the same ballot-boxes, and the same vote, and the same everything.

Question. They were both running as republican candidates?

Answer. Yes, sir.

Question. Did that same stuffing apply to anybody else who was voted for at that election?

Answer. O, yes, sir; it applied to members of the legislature. And the majority for Governor Scott was made unnecessarily large, so that they might have a working majority in the legislature; that is, a majority of two-thirds; so as to appropriate money and carry out their schemes. It requires them to have an overwhelming majority in the legislature to do that.

Question. The district where those officers have been convicted is a very strong republican district, is it not?

Answer. Unquestionably.

Question. An honest vote would have elected all their members of the legislature, would it not?

Answer. Undoubtedly.

Question. You say that there was nothing to be gained by any fraudulent voting in the way of electing members of the legislature?

Answer. There were two sets of republicans running; there was no democratic or reform ticket in the county.

Question. It was wholly a quarrel among themselves?

Answer. Yes, sir; and the indictments and the proof, of course, were all confined to the issue made up in the indictments, namely, that Bowen had received this number of votes, and that these men had taken these votes out, and put others in.

Question. A word, now, about these railroad bonds of which you have spoken. The State had guaranteed the payment of a certain amount of railroad bonds?

Answer. Yes, sir.

Question. When was that done?

Answer. By the first legislature two years ago, in 1868 and 1869.

Question. It was not in form a debt of the State?

Answer. No, sir.

Question. The legislature merely passed a law guaranteeing the payment of certain bonds issued by a railroad company?

Answer. Yes, sir.

Question. What was the object of that?

Answer. To give aid to the railroad.

Question. Do you complain of there having been any impropriety in that legislation?

Answer. I think there was impropriety in it. I think the way in which the bill was passed was very obnoxious, and not sound legislation.

Question. Was it for the purpose of enabling the company to extend their road, to build more road?

Answer. Undoubtedly that was the purpose upon the face of the bill.

Question. Well, was not the liability of the State dependent upon their building so much more road?

Answer. No, sir.

Question. They trusted the railroad company to do it?

Answer. Just so.

Question. You say that since that time they have authorized the railroad company to issue a certain additional amount of bonds, and to secure them by a mortgage, which shall stand prior to the lien of the State?

Answer. Yes, sir.

Question. And you say the security is not sufficient for both liens?

Answer. I am sure it is not.

Question. Does everybody agree with you in that?

Answer. I do not know; I never heard anybody say anything else.

Question. Was that conceded in the legislature that passed the act?

Answer. I do not think there was any remarkable amount of argument upon the subject in the legislature; the arguments were metallic, not oral.

Question. Was there any opposition to it by anybody?

Answer. O, yes, there was opposition to it; but the opposition in that legislature number very few, not quite as strong even as the opposition used to be here in the House of Representatives of Congress.

Question. There were some men in the legislature who opposed it?

Answer. O, yes, sir; there were some votes against it. Why, even Mr. Whittemore voted against it; it was too much even for his stomach. He and four or five other senators entered a protest against it upon the journal of the Senate.

Question. Was it not claimed on the other side that this was given in aid of a public work, the benefit of which, to the State, would quite countervail any obligation the State might thus incur?

Answer. O, I suppose so.

Question. But you think they did not believe it?

Answer. I think it was in the interest of wealthy corporations, not in the interest of the State.

Question. You think the members of the legislature were bribed to pass it?

Answer. That is my opinion, in a word.

Question. Under the act of 1869, according to this official statement, \$1,000,000 of bonds have been issued?

Answer. For the relief of the treasury, yes.

Question. Have you any knowledge that a greater amount than that has been issued?

Answer. I have not; it has been rumored, but I have no facts at all upon which to base an opinion. From the act itself, as I explained a few moments ago, I can very well see how a greater amount might have been issued and still keep within the letter of the law.

Question. You have no satisfactory information that any more have been actually issued?

Answer. No, sir, and I do not undertake to say so; and, in my calculation, I do not assume that they have issued any more.

Question. The way in which you double the State debt, as here stated, is by counting these \$2,200,000 of bonds as having practically been issued, and adding to that the amount of those railroad bonds that the State has guaranteed?

Answer. Yes, sir, and that the railroads cannot pay.

Question. That is the way you have made that out by your calculation?

Answer. Undoubtedly.

By Mr. POOL:

Question. When did those outrages by Ku-Klux commence in South Carolina?

Answer. I do not know when; I have not been at all familiar with or watched the workings of it, or made up my mind about it till within the last year. I gave very little attention to it before. I knew there was more or less violence in the upper counties in the election of 1868, but my business was of a judicial character, I was very much engaged, and I paid very little attention to it.

Question. Did you not hear that violence existed in the upper counties of the State in 1868?

Answer. I have just said, in reply to your question, that I knew outrages were perpetrated in those upper counties in 1868.

Question. Did you hear of bands of disguised men going about in 1868?

Answer. I think so.

Question. Did that continue through 1869?

Answer. I do not think that, after the November election in 1868, there was any violence at all of that kind in the State; if there was I did not hear of it until after the election of 1870. There were two years of profound peace.

Question. You think that these local causes of which you have spoken, corruption, maladministration, &c., were the causes that led to a resort to this Ku-Kluxing?

Answer. That is my opinion.

Question. Did those causes exist prior to 1868?

Answer. No, sir; they did not.

Question. You do not mean to say that a result is produced by a cause that existed only after that result?

Answer. No, sir, I do not mean to say that; nor do I mean to say that the organization was in operation in 1868, while there might have been some portion of the organization then for aught I know. I trace those disturbances to a very different source. I think they were then confined to desperate men, to men who had been in the confederate army, and men who had been deserters from that army. I defended three or four of them, from different counties up there, before military commissions, and I had very good reason to know that the operations you speak of there were by those bands of lawless men. I think this organization in South Carolina was of a later date.

Question. And of a different character?

Answer. And of a different character.

Question. You say you do not believe it has any political significance whatever?

Answer. I do not think it has in South Carolina; I know nothing about it anywhere else.

Question. But that it is for the purpose of punishing men who are accused, whether rightfully or wrongfully, of certain crimes?

Answer. That is my conviction.

Question. Have you ever known a democrat to be the victim of a regular Ku-Klux outrage?

Answer. O, yes, sir.

Question. What instance of that kind have you known?

Answer. There was an instance in Union County last spring. Some democrat there had perpetrated an outrage on a colored blacksmith. He had sold him a set of tools, and he went there one night with one or two of his friends in Ku-Klux disguise, and demanded that the blacksmith should give the tools back. And the Ku-Klux waited upon him and made him restore the tools.

Question. The regular Ku-Klux waited upon whom?

Answer. Upon the man who had perpetrated the outrage upon the black man. They said he had used their name and authority to commit the outrage upon the black man, and that he should not do it.

Question. Do you recollect any other outrage upon a democrat?

Answer. No, sir; I do not remember any other.

Question. The reason they assigned in that case was that he had, without authority from them, used their garb?

Answer. To defraud this colored man.

Question. That was the reason given in that instance why the outrage was perpetrated on a democrat?

Answer. That is what they said. Democrats in South Carolina do not have the power to perpetrate legal outrages, outrages under form of law; they have not the power there to do it.

Question. All the outrages, then, of this character have been perpetrated upon republicans?

Answer. Well, sir, as a general thing.

Question. You know of no other instance than that?

Answer. I know of no other.

Question. How do you account for the fact that while republicans who are accused of crime are visited in this way, the rascals who are in the democratic party are free from such visitations?

Answer. I think the republicans visited in that way were either in official positions or connected in some operations with men in official positions, and are using those official opportunities second-hand, if you please, to accomplish certain purposes; or are thought to be doing so; I do not assert that to be true; but they were the only persons who had the chance to commit outrages upon the community in that way; they had the power. But where they had not the power, in Pickens, Anderson, and in other counties where they have not had the power, or where everything has been largely the other way, there has been no Ku-Klux.

Question. Largely which way?

Answer. Largely republican, colored, or largely the other way. I have never heard of an outrage in Pickens, where the colored vote is very small; I have never heard it charged that there was any such organization there.

Question. Have you not generally heard that the colored people who have been Ku-Kluxed in this way have been guilty of stealing, or of some insolence to the white people, or something of that sort?

Answer. The general charge has been an attempt to swindle the people in some way or another. I can illustrate my idea by an instance of a man in Clarendon, I forget his name, perhaps it was Bigger, but I will not be sure about that; he was a merchant there, I believe; his store was torn down, or his goods were injured, or he was injured in some way. He then went to Columbia and had a petition got before the house of representatives to give him \$20,000, assuming in his petition, and the bill assumed in the preamble, that he had been injured by the Ku-Klux of that county, and proposed to tax the people of the county to pay him \$20,000 for a stock of goods that everybody said was not worth more than \$2,000 or \$3,000, and that he had already been paid for. When he went back to Clarendon they notified him that he must leave; he did not go, and they then waited upon him and handled him pretty roughly, and made him leave.

Question. How did they handle him?

Answer. I do not know; perhaps whipped him; they handled him pretty roughly and made him leave.

Question. Do they not in the great body of instances allege some such thing as stealing or insolence?

Answer. I do not think so.

Question. Where were you born?

Answer. I was born in what is now Lamoille County, in the State of Vermont.

Question. At what time did you go to South Carolina?

Answer. In the fore part of 1867.

Question. Where were you before that time—just before the war?

Answer. I was residing in the State of Kentucky.

Question. Were you a democrat then?

Answer. Yes, sir.

Question. You say you voted for Mr. Lincoln when he was elected the second time?

Answer. Yes, sir.

Question. How did you vote when he was elected the first time?

Answer. I was bitterly opposed to him; I fought him like a man.

Question. For whom did you vote?

Answer. For Mr. Breckinridge.

Question. You were an active politician at that time?

Answer. Tolerably so, pretty active; I was a man of convictions and always followed them.

Question. You voted for Mr. Lincoln as against General McClellan?

Answer. I not only voted for him, but I stumped Pennsylvania and New York for him; I made a pretty active canvass for him.

Question. Did you run for any official position in South Carolina when you went there?

Answer. No, sir; I never was a candidate for any official position there. I was elected judge without any solicitation on my part; indeed, I declined for a long time to accept the position.

Question. Is there not a strong feeling in South Carolina against carpet-baggers, as they call them?

Answer. There is a strong feeling in South Carolina against men who go there merely with a view to get office and plunder the people, not against those who go there and follow the pursuits and avocations of life like other men.

Question. How do they ascertain with what view they come there?

Answer. By their conduct, I suppose, as in the case of every man.

Question. By their seeking office?

Answer. If a man goes there and sleeps over night, and seeks an office the next day, that is considered a pretty convincing proof of what he came for.

Question. When were you elected judge?

Answer. December 9, 1869.

Question. When did you go there?

Answer. In the fore part of 1868.

Question. Did you know anything about the laws of South Carolina then?

Answer. Not much, and hence I was very loth to accept the position. But men qualified to take the position were disabled by law from accepting it. And after leading members of the legislature had made me a candidate, without my seeking it, and after persuasion by the bar, I accepted it, and entered upon its duties with more trepidation than I had ever done anything else in my life, for I thought I had some little reputation, and might thereby lose it. Whether or not I did so, is not for me to say.

Question. Was not there a great deal said in South Carolina about northern men coming down there and holding public positions there?

Answer. Not about holding positions, but about abusing the positions they held. I think my own case illustrates that matter. I do not think anybody could have received a more cordial support from the white people of South Carolina than I did. Yet I was known to be a northern man and a republican; but I had tried to show that I was not a mere adventurer down there.

Question. Was not there a special feeling down there against that class of men known as carpet-baggers, who went down there as Federal office-holders and rotated out of Federal into State offices?

Answer. I do not think so. I think the officers of the Federal Army who conducted themselves properly were more popular than any other people who went there.

Question. What office did you hold when you first went there?

Answer. Not any.

Question. What was the first office you held there?

Answer. I was appointed register in bankruptcy after I went there.

Question. How long did you hold that office?

Answer. Till I was elected judge. So far as social ostracism or personal feeling is concerned, all I can say is, that if a man goes to South Carolina and conducts himself properly, I think he will be treated properly. I and my family were treated as kindly before I was candidate for governor, or deemed to be a candidate, as I ever was treated anywhere. Of course, when I first went there the people were very rash, and a great many hot-heads were very violent, and I expected it. But the more sober-thinking portion of the people had begun then to be pacific, and now I do not see that they treat me any differently from what they do those of their own State.

Question. Do you know any northern man in South Carolina, who is still an active republican leader, who has been treated with the consideration you have been?

Answer. Well, I do not know; I think that until the last canvass, Mr. Chamberlain, the attorney general of the State, was treated with a great deal of personal and social consideration. I think Mr. Tomlinson, the auditor of the State, was treated very kindly by the people there. That canvass brought out a great deal of hard feeling in consequence of a belief and conviction that these parties intended to rule the State at all costs. There are causes of a delicate character, relating to family connections, that I do not wish to speak of, but which I do not think they really comprehended. The people of Charleston particularly, are a very moral and upright people; and they observe the social amenities of life as thoroughly as any people I have ever known.

Question. Was it not said, during your canvass, that you were attempting in South Carolina to repeat the operation that had been so successful in Virginia, where they ran a man they called a carpet-bagger, and a republican—I mean Governor Walker—and after he was elected he betrayed the republican party, and made his election really a democratic victory?

Answer. I do not know that they said that; I do not see exactly how they could have said it. I started out upon the State administration as the issue in our contest. I resigned the office of judge, which I held at the time I was nominated. It was charged that our party, the reform party, was the democratic party in disguise. But I never heard any comparison made between myself and Governor Walker, in connection with that canvass.

Question. I mean was it not the same movement that succeeded in Virginia?

Answer. The movement was not the same, because in Virginia they divided the republican convention, called themselves republicans, and professed to take up national issues, and carried them through the campaign.

Question. Running a northern man for governor who had formerly been a republican?

Answer. Yes, sir; but in South Carolina we took no part in national politics, and confined our campaign exclusively to the State administration.

Question. You were nominated by the democrats, were you not?

Answer. There were members of both parties in the convention by which I was nominated. I suppose there were twenty or thirty colored men in the convention who were republicans; I do not think that there was any white man in the convention who was a republican.

Question. Was it not a democratic convention?

Answer. No, sir; it was not called as a party convention at all.

Question. It was composed of democrats?

Answer. Undoubtedly, with the exceptions that I have stated.

Question. You say that the republican leaders in the State, a great many of them, were against you, because they would have liked the same position themselves?

Answer. Yes, sir. They proposed to follow out the Walker plan. Their plan was this; there was a violent quarrel between Senator Sawyer, Hurley, Chamberlain, Corbin, and Bowen on the one hand, and Governor Scott and his friends on the other. They called a republican convention, and in Charleston the Sawyer party beat the Scott party very badly in the election of delegates. Then they got up a packed convention, and De Large and the Scott party elected another set of delegates. Sawyer and his party were refused admission, although according to the party organization they were the regularly elected delegates. Their plan was, if they could get the reform convention postponed, to split the republican convention, and put up Chamberlain for governor. But our people did not see it in that light; they did not see that they would make anything by the change.

Question. What do you mean by "our people;" the white people?

Answer. I mean the people opposed to Governor Scott and his administration, both white people and colored people. Many intelligent colored people were opposed to it, and are now. They could not see what they would gain by having another man come in and administer the affairs of the State, just for the benefit of his clique. So they refused to postpone the convention, and I was nominated, because they believed, if elected, I would administer the affairs of the State in the interest of the people of the State.

Question. So that in the race for the support of the democrats you got the advantage of them, and they were mad with you on that account?

Answer. I mean to say that the reform convention only desired to get honest men of both colors into power in South Carolina, so that the affairs of the State government might be honestly administered. The fact is, that an overwhelming majority of the members of the convention and of the people who supported me were democrats, and are still.

Question. Do you think that these Ku-Klux outrages are any remedy for official corruption?

Answer. None in the world; and therefore I am now, as I always have been, utterly opposed to them.

Question. You say that your effort was to harmonize the colored and the white race in your State; that that was your desire?

Answer. Yes, sir.

Question. And that your efforts were prevented, or rather embarrassed by the negroes being told that they had formerly been whipped by their masters, and such declarations as that?

Answer. Yes, sir.

Question. Do you suppose that harmony was likely to be encouraged by secretly continuing the same system of applying the lash to them by bands of disguised men?

Answer. No, sir; I do not think it tends to harmonize anything or to do any good. I have already said to you, in reply to a question by you, that I did not think it was a remedy for any evil.

Question. How is it that good and well-meaning men should undertake anything of that sort?

Answer. Just as good and well-meaning men have been regulators in the West, and members of vigilance committees in California; it is an error of judgment.

Question. Of course all the colored men and the republicans in the localities where those outrages occur, and where they have a majority, are opposed to the perpetration of any such outrages?

Answer. I do not know anything about that.

Question. They must be.

Answer. I am willing to admit that they are.

Question. And you say that a great majority of the white people are opposed to it?

Answer. I think so.

Question. Does this latter class embrace most of the intelligence and influence of the community?

Answer. Yes, sir.

Question. Then how can these outrages continue, with the sentiment of both parties so overwhelmingly against them?

Answer. Well, the white people who are opposed to it think as I do, that it is not the remedy for any of these evils; that in many respects it increases them. Still they know the evils exist, and feel them very bitterly. And while they know these things go on, and while they disapprove of them, still there is so much in mitigation of them, these outrages on the part of the State government are so constantly existing, that they have not perhaps been as active in expressing their opposition as they would do under other circumstances. I take it that but a small portion of the population in any of those counties have ever been engaged in it; nothing like a majority of the population in any county.

Question. I asked how a thing so bad in itself, and so bad in its tendencies, and as you say no remedy for anything complained of, could exist in a community where it was so overwhelmingly disapproved by all parties?

Answer. I have attempted to answer your question, and I will add this, that where the government itself and all its offices are used and exercised for the purpose of self-aggrandizement, and where the people are plundered under the forms and by the administration of the laws, and there is no legal remedy, some spirits will break out and take the remedy into their own hands. I think they do it unwisely, because I do not think it helps anything; but yet I think it is very natural.

Question. You have not known the local courts to bring these men to punishment who have committed these outrages in disguise?

Answer. No, because they do not know who they are. The local courts cannot be said to be inimical to the administration in South Carolina, because, with perhaps one single exception, republicans were elected as judges by the legislature, which was itself republican, and they are in harmony with the republican party.

Question. The local courts are generally powerless unless they have public sentiment to back them?

Answer. The officers of the law in those counties are the same as the courts; they are republicans. Undoubtedly this organization has been a very effective one, and a very secret one. They are disguised, and it is very difficult to ascertain who they are; that is the difficulty.

Question. The operations of the organization are uniform in their character, you said. Does not that indicate that there is a connection between them from county to county?

Answer. Undoubtedly, in the counties where they exist.

Question. And you judge when an outrage is committed whether it comes from this source from its manner and character?

Answer. I form some judgment from that.

Question. How can you account for the existence of a similar organization, and apparently similar outrages in States where all this corruption is not even charged?

Answer. I do not know that I am required to account for it. I know nothing about the facts in the States to which you allude. My testimony is confined to South Carolina. I am not conversant with this matter in any other State. I can hardly suppose that

any body of men would combine together and kill other men for mere pastime; there must be some cause.

Question. You complain very bitterly of your election laws. I understood you to say that the statute on the subject of elections was very bad, and I think you used the expression "if it can be called a statute at all."

Answer. I called it a device to perpetuate power in the hands of the then administration.

Question. I understood you to say there was no penalty imposed for violating it?

Answer. None for the violations of which I spoke, and I do not know that there is any penalty in it at all.

Question. Is there no provision under which you can punish men for corrupt practices in connection with the election, frands, &c.?

Answer. I do not think that under that law there is any penalty provided for receiving illegal votes or refusing to receive a legal vote, &c.

Question. Any penalty for stuffing ballot-boxes?

Answer. That is not mentioned in it; that is a part of the play not mentioned in the bills.

Question. Is there any law to punish such offences?

Answer. Not under that statute.

Question. Is there any law outside of that statute?

Answer. I am not prepared to say; I do not know whether that statute repeals other statutes or not.

Question. Of course, if statutes already in existence made those offenses penal, and provided a mode of punishing them, there was no necessity for repeating those provisions in that statute?

Answer. In the election of 1868 there were safeguards such as is usual about elections; they were required to count the votes as soon as the election was over. But in the law of 1869 none of those provisions were incorporated. I do not know how far it goes toward repealing any other law.

Question. When you spoke of a trial before Judge Bond, you meant the United States circuit judge?

Answer. Yes, sir; that trial was under an act of Congress, and of course it must be in its nature confined to congressional elections.

Question. In how many counties did that ballot-stuffing occur?

Answer. In my opinion it occurred in every county in the State, without exception. If you mean to ask me in regard to the judicial inquiry, that was in reference to the county of Beaufort.

Question. Has there been a judicial inquiry in reference to any other county?

Answer. I think not.

Question. Why not?

Answer. Because, in the first place, candidates for the legislature and for governor, and all that sort of thing, are entirely without redress. If there had been a thousand statutes they would not have been of any use. I suppose that so far as the congressional contest was concerned enough was shown to answer the purpose of the parties prosecuting. I suppose that was the reason no other cases were prosecuted.

Question. You said that in one locality white people had to go about forty miles to reach a voting precinct?

Answer. Yes, sir.

Question. Where was that?

Answer. That was in the county of Chesterfield.

Question. How many voters had to travel that distance?

Answer. I do not know the number.

Question. Where there as many as twenty?

Answer. I never was at the place, and I cannot say. I suppose it was a sparse white population, with no colored people there at all in that part of the county, which lies probably very near the North Carolina line.

Question. Was it in the western part of the county?

Answer. It was off at one corner of the county.

Question. Do you know of any other instance in other parts of the State?

Answer. I know that in many localities of the State the same thing was done, but to a less degree, where the object seemed to be to give the colored people every facility for voting, and not to trouble themselves much about giving white people any facilities; of course that depended upon the commissioners in each county. In some counties there was no complaint to be made upon that subject; some of the commissioners behaved much better than others. I think that in the county of Edgefield, so far as the voting places were concerned, the commissioners acted with a great deal of fairness.

Question. You made another statement which I think is a little extraordinary; I suppose you got it simply from information. You said it was proclaimed publicly that negroes voting the democratic ticket would be shot?

Answer. Yes, sir; I say so.

Question. Did you hear that proclaimed ?

Answer. I did.

Question. You heard it yourself ?

Answer. Yes, I heard it myself.

Question. Who proclaimed it ?

Answer. I never heard it but once, and that was in Clarendon County. I do not remember the man's name, but I could ascertain it ; I think he was a colored preacher.

Question. In what public way did he proclaim it ?

Answer. He proclaimed it while talking to the colored men upon the grounds. He said, "You can do as you please, but the order has gone out that if you vote for the reform ticket you will be shot." I then walked up to him, and said, "I intend to have you arrested for intimidating voters." I went to Columbia to see a commissioner in order to have a warrant issued for his arrest ; but the commissioner was not there. I saw another commissioner, and he said he did not want to interfere with it, and so it passed off. Colonel John P. Richardson was there at the same time and is conversant with all the facts. He undertook to have the matter investigated, but it was not done.

Question. You did not hear that threat in any other locality ?

Answer. I did not hear it made ; but a great many colored people in other localities, in every county in the State, came to me and said that they were afraid to vote our ticket ; that they believed we were right ; but they were afraid to go with us. What intimidation there was was on the other side ; there is no doubt about that.

Question. Why do you think the pardons spoken of in the governor's message were only up to October 1, 1870 ?

Answer. That is my recollection of the report.

Question. I find that the message itself is dated on the 30th of November.

Answer. If you will turn to the report of General Stolbrand, you will find the date. [Referring to a document.] I see here that the date of the last pardon embraced in the report was October 10, 1870.

Question. What was the date of your election ?

Answer. October 19, 1870.

Question. You say that between October 10 and October 19 a great many pardons were granted ?

Answer. Yes, sir ; that is my opinion ; I saw several myself who were pardoned.

Question. How many ?

Answer. I saw only three or four.

Question. Did you suppose that there were three or four more besides those you saw ?

Answer. I suppose there were three or four more several times over. I heard that they were coming home in several parts of the State. I knew these men, because I had sentenced them myself.

Question. For what crimes ?

Answer. Two of them I saw had been sent to the penitentiary for burglary ; and the other two had been sent there for grand larceny.

Question. How long had they been in the penitentiary ?

Answer. Probably for about a year.

Question. For what time were they sentenced ?

Answer. I do not remember.

Question. Do you know whether they were pardoned after the 10th of October ?

Answer. They were not in Charleston until after the 10th ; I saw them there about the 14th or 15th. My friends came to me and said, "These fellows are coming home pretty thick ; such and such persons are here now." And some of them were pretty active and energetic at the polls, of course against me.

Question. Do you suppose the governor in that time had pardoned as many as twenty of these men ?

Answer. I do not know how many. He had been doing it all summer ; I think the record will show that the most of these men were pardoned during the summer ; that is either the fact, or my attention was called to it more particularly then.

Question. Then you do not know of your own knowledge that there were as many as twenty pardons granted after the 10th of October ?

Answer. I do not ; because after the 14th of October I was not out of my own county until the election took place.

Question. Do you know of a single case in which a man was pardoned between the 10th and the 19th of October ?

Answer. I say that I know of three or four of these fellows who were in Charleston a day or two before the election. I have no doubt the pardons continued up to the day of election. I think that Governor Scott said in one of his messages, he had the frankness to say, that he had pardoned a great many of these men in order that they might be able to vote.

Question. Was not that the message that contained the list of pardons up to the 10th of October ?

Answer. I do not know ; I have read it somewhere.

Question. I have his message before me.

Answer. Very well, you will find it there.

Question. He says in that message:

"By anticipating the expiration of their sentence, the criminal generally avoids the deprivation of his civil rights, many of which would be forfeited by their consummation. The effect of this leniency is stated by the superintendent as being most salutary in promoting good behavior among the convicts, and enabling him from day to day to designate large numbers of the convicts for work as laborers, teamsters, and mechanics, without the presence of a guard outside the inclosure of the prison, and not one has betrayed the confidence thus reposed in them."

Answer. I do not know about that; several of them certainly did get away from the penitentiary in some way or another, and committed a burglary within two days after they came to Charleston, and I sent them back there again in a week.

Question. You are not able to state positively, then, that any one was pardoned between the 10th and the 19th of October?

Answer. I have given you all I can say on that subject: that I saw three or four men from my county, who had been sent to the penitentiary; I saw them after the 10th of October at large in Charleston, and that was the first anybody knew of it.

Question. Was Governor Scott any less responsible for this corruption than other members of the State administration?

Answer. I do not think he is.

Question. Did you charge him with all this in the canvass?

Answer. I charged him with a great deal more than I have here.

Question. Was he the main object of that charge?

Answer. I do not think he was; I gave them all what I thought they deserved, the land commission and the others.

Question. Has there been any examination, by any class of men who are entitled to respect, into the financial conduct of Governor Scott?

Answer. I have not heard of any.

Question. What did the tax-payers' convention say?

Answer. They provided for an investigation hereafter, and the means and facilities were to be afforded to make it.

Question. Did they not exonerate Governor Scott?

Answer. No, sir; they did not pretend that they had examined his financial conduct, but proposed to do so, and the governor said they should.

Question. What did they say in regard to Governor Scott's connection with it?

Answer. What did they say?

Question. Did they say anything complimentary of him?

Answer. I do not know what they did say; I have not read the report with any care, for I was not at home at the time. My understanding is that they simply proposed thereafter to investigate the matter; I do not think they professed to have made any investigation of it; if so, I am not aware of it. I saw General Butler in New York, and he told me that no investigation had been made, that they were proposing to make one; but he expressed himself somewhat hopeless about being able to do it.

Question. I find your views in regard to this corruption of the State officials, and other bad things in South Carolina, so much worse than the views of even the most bitter democrat that has been before us, that it leads me to inquire if you had any means of information in regard to this thing more than other men, any peculiar facilities for knowing about it?

Answer. I suppose I had in some particulars; I knew of all these Northern men, and they used to talk to me very freely about it. I was on the bench, and not in their way politically; I had nothing to do in the way of politics, and they used to talk to me very unreservedly about these matters.

Question. Did they make any confessions to you?

Answer. Some of them used to confess; I heard Hurley say time and again that he had bribed the whole legislature, and that he could and would do it again; I heard him say that he had paid such a man so much, and such a man so much.

Question. Did you have more facilities of information than Governor Orr had?

Answer. I do not know whether the difference is in the facilities of information or in the motive for speaking. I think Governor Orr knows a great deal about it, especially in regard to the Greenville and Columbia Railroad transaction. He has more information about that than myself; I would not pretend to compete with him for a moment in my knowledge of that speculation.

Question. You think there would be a difference in motive?

Answer. I said it might be attributed to one of two things, difference of motive, or difference of information. Do you call him a democrat?

Question. I have not got to that yet.

Answer. Well, you prefaced your remarks by saying that I had said things worse than many democrats. I have told what I thought to be the truth, and I did it on a great many stumps in South Carolina. It was admitted in the canvass that these

things existed. They said themselves that they were wrong, and promised that if they were again given power they would remedy them; that they would make an inquiry into the land commission and all these things; that they would alter the election law. Everybody admitted that was bad. Governor Scott admitted that it was an infamous law, and said that he had not read it when he signed it. Yet a session of the legislature has intervened and the law has not been changed.

Question. You spoke of some of this corruption in connection with the Greenville and Columbia Railroad, and you spoke of Governor Orr having some connection with that?

Answer. Not with the legislation.

Question. Not at all, but with getting the stock in the hands of certain men.

Answer. What I said was this: that Governor Orr, one of the directors of the road; Mr. Hammett, the president of the road; Mr. Reed, the attorney of the road, (and perhaps a director—I am not sure of that,) purchased from persons along the line a large quantity of stock for these Pennsylvania gentlemen. That then, as they had not a controlling interest in the stock, an act was passed by the legislature authorizing the governor to sell any of the State securities, and under that act the State stock was sold to this concern.

Question. Do you think there was corruption in that transaction?

Answer. I have stated the facts; you can draw your inference as well as I can. I have a personal liking for Governor Orr.

Question. The reason why I asked was that when I asked you if your information was better than that of Governor Orr in regard to this corruption, you referred immediately to his connection with the Greenville and Columbia Railroad. I certainly inferred that, in your opinion, there was some corruption in that connection.

Answer. I say he knows more than I do about it. I did not say he did anything wrong about it. I say that according to my information and belief he purchased a large share of the stock that was transferred to these Pennsylvania gentlemen, stock of the company of which he was a director; that is the naked fact.

Question. Did you not charge that in your canvass as a piece of corruption?

Answer. No, sir; I never said anything about that in the canvass. Governor Orr and myself have been personal friends for a number of years. I have known Governor Orr for twenty years. If I had thought him corrupt in these matters, yet, from my personal relations with him, I would not have assailed him unless it became absolutely necessary. His treatment of me in the canvass was not such as to lead me to assert any corruption, and I would not have assailed him if it had been otherwise.

Question. He is a man of high character in South Carolina?

Answer. He is as well known to you as to me.

Question. I have never seen him but once.

Answer. He has a great many bitter enemies as well as very many warm friends.

Question. Does he have a good acquaintance with affairs in South Carolina?

Answer. Yes, sir; he is a very shrewd, sagacious man.

Question. Would his judgment upon the state of things there be such as could be relied upon?

Answer. In my judgment, Governor Orr is a politician, and every aim and purpose of his life is in that way. If he had a political bias one way, clear-headed as I think him to be, and without impugning his honesty at all, in my judgment that would have some effect upon his views of things.

Question. Governor Orr was a democrat until within the last few years?

Answer. Yes, sir; when I first went down to South Carolina, Governor Orr and I almost had a quarrel. He swore he never would vote to give the negroes the right of suffrage.

Question. When did he change?

Answer. I think he was something like General Cass at Cleveland; he felt a change some years ago, but did not come to the full light of it until just before the canvass of last year.

Question. The governor changed from the democratic side to the republican side, and you changed from the republican side, and became a candidate of the democrats?

Answer. That is a very plausible way of putting it, but I am not quite prepared to swear to all that. I have stated again and again that our organization had no national significance whatever, and that is my belief.

Question. Governor Orr opposed what you call the reform movement?

Answer. Yes, sir.

Question. And you were sustained by the great body of the democrats.

Answer. He opposed the reform movement, and gave the reasons in a public letter why he opposed it. He conceded to me integrity and talent, and admitted that if I should be elected there would be a correct administration of the affairs of the State. He said that I could not be elected; that there was a majority against me, and therefore he would not go for me.

Question. Is not that a remarkable statement?

Answer. It is so; I do not say it was in those exact words, but that is the purport of it.

Question. You led that reform movement in order to correct corruption and mal-administration.

Answer. That is so.

Question. How can you account for the fact that Governor Orr should change just at that time and go the other way?

Answer. Am I bound to account for it?

Question. I did not know but you might have some theory?

Answer. I have no theories that would throw any light upon the subject under consideration. I do not intend to be led into a personal attack upon Governor Orr, to speak plainly.

Question. I was supposing it might be possible that, as bad as you thought things were down there, in your judgment—

Answer. I may be mistaken.

Question. I wished it to appear that other men of great ability thought differently from yourself.

Answer. I have no objection to have it appear that Governor Orr thought very differently from me.

Question. And changed just about that time?

Answer. The change was going on some time before, but he announced it just before the election. He had been elected circuit judge some time before that.

Question. Of the State court?

Answer. Yes, sir.

Question. Have you an acquaintance with the condition of the colored men, their intelligence, &c., in the border States—such as will enable you to institute a comparison between them and the colored men in South Carolina?

Answer. I think so.

Question. You think that in South Carolina they are, in intelligence, far below the ordinary run of the colored population in the border States?

Answer. I do, with the exceptions I have named.

Question. The exceptions in particular counties?

Answer. No; I do not think they are as intelligent as colored men in the border States. The exception which I made was a portion of the colored population in Charleston.

Question. I thought you said this ignorance was confined to the eastern section of the State and to the river regions.

Answer. I say that as you approach the mountains, the colored men are more intelligent than upon the coast and upon the rivers.

Question. There is a marked improvement among them?

Answer. No doubt about it.

Question. Do you think those in the hill country are equal in intelligence to those in the border States?

Answer. No, sir.

Question. Have these Ku-Klux organizations of which you speak existed in the hill country, where the intelligence is, or down in the low country, where the ignorance is?

Answer. They have existed not exactly in either extreme, but in the middle and the eastern portion of the State.

Question. Where is the county of Spartanburgh?

Answer. That is one of the upper tier of counties, but not the farthest northwest.

Question. Is it not very nearly at the foot of the Blue Ridge?

Answer. I suppose it is twenty-five or thirty miles from the Blue Ridge Mountains.

Question. Does not the organization exist in the county immediately west of Spartanburgh, still nearer to the mountains, in the county of Newberry?

Answer. Newberry is very near Columbia; it joins Richland County, I think.

Question. Union County is east of Spartanburgh?

Answer. Spartanburgh, Laurens, Union, and Newberry are on the line of the Laurensburg road, running right down to Columbia.

Question. You said something about the Ku-Klux being in Pickens County, did you not?

Answer. I do not think there have been any in Pickens; I have never heard of any.

Question. How in regard to Greenville County?

Answer. There are none there that I ever heard of.

Question. Those counties in which these outrages have occurred are distant from the sea-coast?

Answer. Yes, sir.

Question. Toward the northwestern portion of the State?

Answer. Yes, sir.

Question. I have heard you on one or two occasions in your testimony use this expression: "These men controlled the negroes, who are so ignorant." Whom do you mean by "these men?"

Answer. I mean the leaders of the republican party in South Carolina, particularly the administration ring. Mr. Chamberlain and Mr. Corbin have no influence with the negro population; neither of them has any comparatively.

Question. You said that these ignorant negroes were lead measurably by the colored leaders, and that the colored leaders were controlled by these men; that it was through the colored leaders that these men controlled them?

Answer. I think so.

Question. Do you mean northern men who have gone down there?

Answer. Not altogether; I mean northern men who have gone down there, and natives of South Carolina, white men, who have espoused this party interest, such men as Mr. Franklin J. Moses, speaker of the house of representatives, Joe Crews, and others of that class.

Question. What is the proportion of native white men you would embrace among those men, and northern men, that are usually called carpet-baggers?

Answer. The native whites are much less in number than the northern men, and they both combined are much less in number than the native colored men in the legislature.

Question. You said that the negroes, on account of their ignorance, were controlled and led like a flock of sheep by the influence of these men?

Answer. Yes, sir, I did.

Question. And you say that these men made inflammatory speeches to them?

Answer. Yes.

Question. And that on one occasion, or more than one, they advised that the colored people should take the property by force, should divide all the property among themselves, or make a demonstration to that effect? Do you think that the tendency of all that was clearly to cause a conflict of races, to cause the negroes to become very disorderly, and to commit crime?

Answer. I think that was the tendency.

Question. Was that the intent?

Answer. I think the intent was to mass the races solidly against each other, and the colored men having the majority, they were bound to succeed if they could so mass them; and that they would take some desperate chances that might result.

Question. They failed to lead the colored men to commit violence?

Answer. They failed to lead them to those extremes. But there was a great deal of violence; two colored men were certainly killed in Barnwell by other colored men.

Question. Have you not heard of more colored men having been killed by the Ku-Klux organization?

Answer. That is very probable; I assure you that these things are not all on one side.

Question. I can understand how in a State of that size two colored men can be killed even by those of their own color.

Answer. There would have been a great deal of trouble without a great deal of forbearance on the part of the white people. As I said before, my blood was boiling a great many times; I did not understand that sort of treatment, and did not like it.

Question. Was there not a general effort at that time, by kind treatment and conciliation, to obtain the votes of the colored people?

Answer. I do not suppose anybody expected to get anybody to vote except by that means.

Question. The negroes expected to get those of their color to vote by different means, you say?

Answer. Our people did not resort to that method, but they did.

Question. There was a general combined effort by kind treatment and conciliation of the colored people in the election to get them to vote the reform ticket?

Answer. There is no doubt about that at all.

Question. Was not that the reason in part, or mainly, of the great forbearance that you say was manifested by the white people?

Answer. That was one reason, no doubt; another reason was that the Government of the United States would not take the same view of any manifestations on our part that we did, and that we would have the worst of it. Another, and probably a more powerful one than the others, was this: the white people of South Carolina really entertained a kind feeling toward the colored people.

Question. When that election resulted in the defeat of the reform party, is it not the fact that these Ku-Klux outrages occurred in much greater numbers at once?

Answer. Shortly after that; there is no doubt about that.

Question. Did they not commence the very day after the election, when a great many colored men were killed?

Answer. I think the day after election they had a difficulty in Laurens, owing to Crews's persistent refusal to let anybody be with the ballot-box, his insisting upon carrying it off.

Question. Since the election has there not been a marked increase in the number of these acts of violence?

Answer. Until recently I think there was, because the people saw that everything was getting worse instead of getting better. After the election the officials went on with a high hand and outstretched arm; they did not care for anybody or anything then; they have themselves been somewhat modified by these events; the party has been brought by these events to talk the matter over, and to promise to make efforts to do better. Governor Scott, I think, is trying to do better; but, unfortunately, about this time, in consequence of that, no doubt, he is in as bad odor with his party as I am. He told me in New York that he thought if the legislature were in session they would impeach him. I laughed at the idea; but he said that they would; that they were down on him.

Question. You say that your opponents—that is, the republicans proper in the State, the Scott men—did not deny this arraignment of corruption against them which you say you put upon them stronger there than you have even done it here?

Answer. I do not think they did as a general proposition; but I have heard leading republicans of South Carolina denounce Governor Scott and his administration more than I have said here.

Question. You have disclosed that there was a violent anti-Scott faction in the republican party, headed by Senator Sawyer?

Answer. I did not say headed by Senator Sawyer.

Question. Well, in which Senator Sawyer was a prominent man?

Answer. I do not think they have any love for each other.

Question. It was that branch of the republican party that denounced him?

Answer. I do not know what branch I have heard denounce him.

Question. You say that the charges were not denied?

Answer. There might have been a denial, but I never heard it.

Question. Governor Scott made no denial?

Answer. He never wrote or said a word; and I tried to make that a strong point against him, that he, being charged with all these things, still kept silent. I do not think anybody in South Carolina would rise before any public assemblage anywhere and assert that the local administration of affairs there was honorable and economical.

Question. That might also be the case in New York. From your statement I suppose you put it about as strong as it could be put?

Answer. I endeavor to make statements here with that due moderation which an oath requires of me.

Question. You said you put your charges stronger in the canvass than you have here?

Answer. Certainly; more vituperative.

Question. Did it not seem remarkable that there should be no denial?

Answer. They did not deny anything; they said one of two things, either that if I got in it would be as bad as it was with them, or that if they were retained they would do better the next time. The fable of the fox and the flies was a very favorite one with them.

Question. Were you ever a member of the Union League?

Answer. Yes, sir; I was.

Question. In South Carolina?

Answer. No, sir.

Question. You were never in a League in South Carolina?

Answer. No, sir.

Question. How long since the Leagues have been in operation in South Carolina?

Answer. They have been in operation I think since 1866 and 1867; I think they were carried down there at that time.

Question. Do the Leagues still continue to hold their meetings in the State?

Answer. Yes, sir; a Union League exists there, but I imagine it is a very different Union League from what it is in the North. My connection with the Union League was simply being initiated one evening in a lodge in New York; that is all I know about it personally.

Question. Was the League dissolved immediately after the presidential election?

Answer. No, sir; it was not; it was in very active existence last year. I took no part whatever in politics in South Carolina until I became a candidate for governor; my judicial duties took all my time. When I became a candidate for governor I resigned my judicial office. I never was in a Union League there, and I do not think I ever disclosed to anybody the fact that I had ever been a member of one.

Question. Do you consider Governor Orr a member of the republican party in South Carolina?

Answer. I do.

Question. Are you a member of the republican party?

Answer. Not of the Scott party.

Question. Are you a member of the republican party?

Answer. I do not intend to give any bond for myself hereafter. I would not vote for Governor Scott or any of his party, and I could not well sustain anybody who sustained him. I was a democrat before the war, and as ardent a war man as any in the United States; I think I sacrificed something for my convictions.

Question. You consider yourself and Governor Orr as being of different political affiliations now in South Carolina?

Answer. I do not know about that. I have had very little to do with politics since the campaign. If I live until next year I shall probably vote for somebody then, but who it will be I cannot now tell; I shall vote then as I think is right.

By Mr. COBURN:

Question. Did you say that the State officers united with the Loyal League and committed outrages upon the citizens; that they headed the Loyal Leagues, or something of that sort, and committed outrages?

Answer. No, sir; I said members of the Loyal League had done so.

Question. Headed by State officers?

Answer. I assumed that the State officers, the leaders, controlled them in a way that you understand. I do not say but they generally control them. There have been a great many gin-houses and dwelling-houses burned in South Carolina by somebody or other.

Question. Do you pretend to say that that was done by the State officers through the Loyal Leagues?

Answer. I do not pretend to say anything.

Question. I think you said something like that a little while ago. I understood you to say that; if that is not a correct understanding, you can make a statement now.

Answer. I did not intend to say any such thing, and I do not think I did say any such thing. I said that there were outrages committed by men belonging to the Loyal League. I do not say that State officers incited them to burn houses or to kill anybody; I do not know that to be the fact, and I do not charge it.

Question. Statements have been made that outrages have been committed because of official delinquencies, and of crimes connected with the discharge of official duties, and not for politics. What officers have been thus injured?

Answer. I do not know. I said, I think, and I repeat it, that as a general thing the subjects of these outrages were either official persons or persons connected with those officials in some transactions that the community deemed to be to their detriment.

Question. Do you know any of those men; and, if so, who are they?

Answer. There was this man Rose in York; he was an official there, a county treasurer, I believe. I think he went away, leaving a very large balance due to the State.

Question. What was done to him?

Answer. I think they made him leave the country; I do not know what else they did to him; they did not kill him, I believe.

Question. Did they commit any violence upon him?

Answer. I do not know what was done; I know they had something to do with him, or at least that is my understanding.

Question. That is a matter of rumor, then. How long ago was that?

Answer. It was last summer.

Question. You said something in connection with this very matter, that wherever the local affairs were bad these outrages took place. Do you stand by that statement?

Answer. I do not think I said that, because if I had said that, these outrages would have been all over the State, for the local affairs have been bad all over the State.

Question. Did you say the local affairs are better conducted or worse in the heavy negro part of the State, the southern part of the State, and in Charleston?

Answer. I say now what I said some time since, that in the upper part of the State, where the local authorities were elected by the people, and are men of responsibility of character, there has been very little of this thing; and in the lower part of the State where the negro population was very dense, and the white population sparse, there has been none of it.

Question. Do you not know that the Ku-Klux operations have been just in the opposite direction, in the places where the local government was best and where the white men controlled?

Answer. I do not know that.

Question. Did you not say that the local government was worse in Charleston than anywhere else in the State?

Answer. I said it was as bad.

Question. Do you stand by that statement or not?

Answer. I stand by any statement I have made, and I cannot permit you to make any statements for me.

Question. You can make any statement you please.

Answer. I said the taxation was heaviest there; I said the local government was bad there; but I did not say it was worse than anywhere else, because I do not think it.

Question. The local government is worse in the negro part of the State? Have you heard of any Ku-Klux operations in that part?

Answer. I said that where the negro population was dense there has been no organization of that sort, in the heavy negro counties. If there ever have been any Ku-Klux operations or manifestations of them there, I have never heard of them.

Question. Yet you say that in those places the local government has been the worst, and then you say that because the local government is bad these outrages have taken place?

Answer. I did not say it has been the worst, for no local government could be managed any worse than Crews has managed the government of Laurens County, or those men have managed Union County. I say the local government has been bad; and I say that in my opinion these outrages have been in consequence of all the things I have detailed in my testimony, and the bad local government all over the State; it has all inflamed the people.

Question. In relation to the purchase of land by the land commission, you say that \$700,000 have been expended for land to be again sold for homesteads, and that it is not worth more than \$100,000.

Answer. That is what I said.

Question. Where is this land?

Answer. It is in different parts of the State.

Question. How many acres are there of it?

Answer. Well, I am not able to say; probably between forty thousand and fifty thousand acres.

Question. Have you seen it?

Answer. I have seen different tracts of it in different places.

Question. Have you seen the bulk of it?

Answer. O, no, of course I have not.

Question. Did you ever pretend to examine it?

Answer. I have never seen anything like any considerable quantity of the land; but in the canvass last summer my friends described to me the land which was in each locality, and told me the character of it; and from the information which I received in the canvass, I came to the conclusion that it could not be sold for \$100,000.

Question. What do you know about the purchase of land at one price and putting it into the possession of the State at another?

Answer. I know this, that in different counties I examined the records, and in some counties I had copies of the records made, to show what the person paid who bought it, and then to show what the State paid him for it. I know that in this Chesterfield case the difference between the price paid and the price charged the State for one tract of land was about \$27,000.

Question. Was that the Schley land?

Answer. No, sir; that Schley land lies close to Charleston, and is nothing but a swamp.

Question. How much did that land cost the State?

Answer. I think it was \$122,000.

Question. How many acres were there in this Chesterfield tract of land?

Answer. I think there were three hundred or four hundred acres.

Question. Who bought it?

Answer. The Reverend Mr. Donaldson.

Question. What did he give for it?

Answer. I do not remember the amount he gave; but I understood that the difference between the amount of the purchase and the amount for which it was sold to the State was \$27,000; I cannot tell the exact amount given by him for it.

Question. How did you find out these amounts?

Answer. I had copies of the deeds from the clerk's office.

Question. Did you ascertain the consideration of the deeds?

Answer. Yes, sir; and I read them to a public audience at Chesterfield court-house. I afterward had a conversation with Mr. Donaldson coming on here, in which he did not pretend to deny the fact; his regret seemed to be that he had not sold another tract of land that they had agreed to take, but did not.

Question. Do you know anything about their dividing the price of the land in three parts, the man selling it getting one-third, the man buying it getting another third, and the land commission getting the other third?

Answer. If you mean that I had anything personally to do with the transaction, I do not.

Question. I did not ask you that.

Answer. I believe it was done.

Question. Do you know it, except by mere rumor?

Answer. I have heard persons interested in the matter talk about it.

Question. Who?

Answer. I have heard a great many.

Question. I would like to know some of them.

Answer. I never heard any of them say that that was done, but I judged principally from this: Certain tracts of land with which I was familiar have been sold to the land commission; two tracts of land, one in Marion, and one on John's Island; they were sold for a price exactly three times what I knew the men asked for the land.

Question. When and where did Governor Scott admit all these frauds you have spoken of in regard to these lands?

Answer. Did I say he had admitted anything about it?

Question. I understood you to say that he had admitted frauds in relation to the land commission.

Answer. I said that during our campaign Governor Scott never opened his mouth, or wrote a line on the subject of the charges made by us.

Question. You mean to say that he did not deny these things?

Answer. I have said that he took no part in the canvass.

Question. You do not say now that he admitted it?

Answer. I think Governor Scott has made very serious complaints against the land commission; and gentlemen tell me that he has threatened to have the land commission put in the penitentiary.

Question. Did you say there was a ring formed in connection with that, and that certain men divided the proceeds?

Answer. No, sir; I did not think I said that. I said there was a ring that owned the bills of the State bank, and the bonds which were issued for the bills, or they were interested in them; if they did not own the bills they expected to get a certain amount of the bonds.

Question. Was there any fraud perpetrated upon the State by reason of the men getting possession of those bills?

Answer. No, sir; unless they counted too much. The State owed the debt, and I decided so as a judge, and I am of the same opinion still.

Question. Do you know whether any of those men were guilty of fraud in getting those bills funded?

Answer. I thought from all the circumstances I knew that there were more bonds than bills; that was my impression on the subject.

By the CHAIRMAN, (Mr. POLAND:)

Question. You spoke about there having been several burnings, as you supposed, by colored people.

Answer. Yes, sir.

Question. Do you suppose there was any instance of that, except where it was done to avenge some wrong that they supposed they had suffered in some way from the owner?

Answer. I do not know of any. That was my statement before, that I thought, as a general thing, it was a matter of private revenge.

Question. You do not suppose there was any political consequence about that?

Answer. Only this: that in my judgment the incendiary teachings of their leaders brought about that sort of result in a particular emergency.

Question. You do not suppose this was done for any general political purpose, but because they had received some injury, or had supposed they had received some from the owners?

Answer. That is my impression.

Question. A word now about the exercise of the pardoning power by the governor. Do you know anything in relation to the representations, petitions, or anything of that sort, upon which the governor acted in any case?

Answer. No, sir; all I know upon the subject is this: The governor, after my election to the bench, said to me that he was very glad I was elected, for he would then have some guide in the matter; that he would pardon nobody from my circuit without inquiring of me as to the facts. For about a month, I suppose, after I went upon the bench, he pursued that course; whenever an application was made to him his private secretary would address me a note to ascertain the facts in the case. After that he did not apprise me or the solicitor of any case, but went on to pardon them without any reference to me.

Question. Whether proper grounds were presented to him for his pardon in those cases you do not know?

Answer. I suppose there were; I have no doubt that they could get a petition stating enough to pardon anybody, and get it signed; that has been my experience in such matters.

Question. When did you go on the bench?

Answer. I was elected December 9, 1868.

Question. When did you resign your place on the bench?

Answer. July 8, 1870.

Question. You spoke of one case when you were on the bench of two men who were pardoned by the governor, and who immediately afterward committed another offense, for which they were tried before you and sentenced?

Answer. Yes, sir.

Question. How long was that before your retirement from the bench?

Answer. It was a long time.

Question. A great while before the election came on?

Answer. Yes, sir.

Question. You said there was considerable alarm among the people in consequence of the letting loose of these bad men?

Answer. Yes, sir.

Question. Do you know any instance of any criminal offense or outrage having been committed by any of these pardoned men except the two which you re-tried?

Answer. Yes, sir; I know of one or two others. Another man pardoned by Governor Scott just preceding the election was arrested, in a week or such matter afterward, for robbing a conductor upon a street-car; and another, who was pardoned during the summer —

Question. That was a mere theft of money?

Answer. Yes, sir.

Question. It was not accompanied by any violence?

Answer. The offense charged was a robbery; I do not know what the result of the case was.

Question. Did you understand whether the money was taken by violent means, or was his pocket picked?

Answer. The conductor said he was knocked down and then robbed. This was a violent, bad mulatto. I do not think the crimes these men committed after they were pardoned had any political consequence; I mean that they were abandoned thieves and robbers and burglars, and ought to have been kept in the penitentiary, and they had no business to be let out.

Question. What I wanted to ascertain was whether the evil consequences anticipated by the people from their release followed to any considerable extent.

Answer. This is the fact, that the docket of the Charleston circuit was constantly loaded down with criminal cases. It was four or five weeks' hard work for the judge to get through the docket. These persons seemed to be entirely indifferent to the law.

Question. You are speaking now of when you presided in the court?

Answer. Yes, sir.

Question. What was the bulk of the offenses?

Answer. Larceny and burglary, with occasional murders, and things of that sort.

Question. The great bulk was stealing?

Answer. Yes, sir; offenses upon property.

Question. If they committed burglary it was for the purpose of stealing something?

Answer. Yes, sir; certainly.

By Mr. BECK:

Question. Why did Governor Scott think he would be impeached? You spoke of his having said to friends in New York that he thought if the legislature was in session he would be impeached.

Answer. Because he was taking a course to prevent depredations upon the treasury, I suppose; they had charged him with being a degree worse than I was.

By the CHAIRMAN, (Mr. POLAND:)

Question. They were going to impeach him for turning honest?

Answer. I expect it amounts to that.

By Mr. BECK:

Question. Had he not vetoed a bill which they had tried to get through, for \$200,000?

Answer. That was a very small one compared with some he had signed. He had vetoed a bill in which there was a little amount of \$50,000 or \$75,000, for furnishing the State-house, and there was a great deal of indignation about it. That was the only bill of that sort, to do him justice, that I ever knew him to veto.

Question. And the indignation was very great on that account?

Answer. Mainly because of that, but also because he had called a certain set of democrats together to consult with them at the time these disturbances were rife, as to some way of stopping them. They had had some consultation at the capital, and he had been on friendly terms with the tax-payers' convention, and had promised them retrenchment and reform.

Question. Had he not also promised a reform in the local governments by the appointment of more competent men?

Answer. Yes, sir, even if he had to appoint democrats.

Question. Was not that made a cause of complaint against him?

Answer. Those things, all of them, made against him, and he is less strong with the party than before.

Question. You were asked a great deal about Governor Orr. I do not want to say anything about him personally; but was it not made a ground of complaint against Governor Orr that he, a director of the Columbia and Greenville Railroad, had purchased the stock from his own stockholders for the ring which now owns it?

Answer. There were complaints of that sort.

Question. Was it not also complained that he had made by so doing a considerable sum of money in the shape of fees?

Answer. There was certainly a public rumor to that effect.

Question. You were asked by Senator Pool whether it was possible that these outrages by men in an organized form could continue if the mass of the people were opposed to these things being done. I want to ask you if, with your knowledge of bad men everywhere, crimes of the most aggravated character do not exist against the will of the great mass of the people in all social and political communities?

Answer. Undoubtedly.

Question. You know very well that in cities like New York, Cincinnati, and everywhere where the most flagrant crimes are committed, all the good people are opposed to them, yet they are committed frequently?

Answer. Yes, sir; but in this case I believe many of them were committed by bad men in this organization, and yet their acts were conducted in a secret manner, so that people there did not know who did them; I can well conceive that an organization so secret in its character might do that.

Question. Have you any opinion whether the persons who were pardoned by the governor were generally his own political friends?

Answer. O, yes; undoubtedly. He pardoned one man out of the penitentiary, a white man in Chester, who had been sentenced for cotton-thieving, and made him a commissioner of elections; that is a very strong case in point. He had been convicted by a jury and sentenced to the penitentiary.

Question. On the subject of taxation, are not these complaints very commonly made, that while it was pretended that the taxation in your State had not been increased, while the rest of the country had that impression, in fact the taxation had been doubled by indirection, without the facts being known, and while economy was pretended?

Answer. Certainly; taxes were doubled, and we knew they were doubled in the way I have stated, by doubling the appraisement of the property.

Question. But the world did not know that your taxation had been increased?

Answer. The statement went out that it was so many mills on the dollar, not so much as it is in New York and in Ohio; while our tax was practically three times as much as in those States.

Question. Is it not a fact that in the organization of your reform party you ignored national politics, and sought to win by opposition to the ruinous extravagance and the general mal-administration of local affairs in your State, and that upon that ground the race was made?

Answer. Solely.

Question. Did I understand you to say that they themselves made professions of great reform if they were permitted to continue in office?

Answer. O, yes.

Question. How have these pledges been lived up to since they have had their hold on place renewed?

Answer. This legislature is worse than the last; they have made no reform in anything; they have not touched the land commission; have done nothing in the way of reforming taxes; the taxes before were seven mills on the dollar, and now they are nine mills.

Question. You have been asked whether in a conflict of races that should ensue, the colored men did not know that the white men would succeed in putting them down: Was not this much known, that the white men, the leaders of the republican party there, and in thorough accord with the administration here, could make such representations as they pleased to the officials at Washington, and they would be credited; that those representations would be acted upon by the powers here, while the statements of the other side would be ignored; was not that known to the people there?

Answer. I think a conviction of that sort was prevalent, and that they would be resisted by the National Government.

Question. No matter who was right or wrong?

Answer. Yes, sir.

Question. Did not that feeling embolden the one side and make the other side more cautious than would have otherwise been the case?

Answer. It certainly did. I can conceive of no people who, without very strong reasons, would submit to what we did last summer.

Question. Is not the fact that the members of the democratic party were the owners of the great bulk of the property in the State and would be liable to ten times the depredations which the other side could suffer—

Answer. They are the property-holders, with a few trifling exceptions.

Question. Is it not the fact that men who have property are always conservatives?

Answer. I believe they are always timid about such things.

Question. The fact was that the white people were acting in a conservative line, while the other side was arrogant and insolent?

Answer. The white people were conciliatory all the time. During my canvass I received a great many letters from gentlemen in different parts of the State counseling me to moderation and forbearance, and to milder talking.

WASHINGTON, D. C., July 15, 1871.

LEANDER A. BIGGER sworn and examined.

By the CHAIRMAN, (Mr. POLAND:)

Question. Where do you live?*Answer.* I have been living in Clarendon County, South Carolina, for the last four years.*Question.* What is the county seat of that county?*Answer.* Manning.*Question.* How far did you live from Manning?*Answer.* My residence was in Manning, although my place of business, or store, was fifteen miles west of it. I did a general business; I had an office in Manning.

By Mr. BLAIR:

Question. What was your business?*Answer.* Merchandising.

By the CHAIRMAN, (Mr. POLAND:)

Question. What was the name of the place where your store was?*Answer.* Hodge's Corners.*Question.* Where did you live before going to South Carolina?*Answer.* In Napoleon, Ohio.*Question.* Were you in the Army during the war?*Answer.* Yes, sir; I was in the Federal Army.*Question.* During the whole war?*Answer.* From August, 1861, to the close of the war.*Question.* Four years ago you went to South Carolina?*Answer.* Yes, sir; it was the latter part of 1867 that I went there.*Question.* And you set up a store for general merchandising at this place fifteen miles from Manning?*Answer.* The first eight months I was there as a Bureau agent. After being mustered out I commenced business for myself.*Question.* Had you any business except this store?*Answer.* I did a general business—I dealt in stock—mules and horses; and dealt some in real estate.*Question.* Did you occupy any land, or carry on farming in any way?*Answer.* I bought some land there.*Question.* When?*Answer.* About two years ago; I invested the profits of my business in lands.*Question.* Where were your lands?*Answer.* In the same county.*Question.* In the vicinity of your store?*Answer.* I had one small tract about two miles from the store; another tract down the river about fifteen miles. The house and lot I occupied for my residence in Manning belonged to me.*Question.* Have you a family?*Answer.* No, sir; no family.*Question.* But you kept house?*Answer.* Yes, sir; I kept house in Manning—kept bachelor's hall.*Question.* Did you occupy this land that you purchased?*Answer.* I rented it.*Question.* To whom?*Answer.* Some to white men and some to colored men.*Question.* You rented it out in small parcels?*Answer.* Yes, sir; to white or colored men—whoever wanted to hire land.*Question.* Did you rent it for a stipulated sum, or did you rent it out upon shares?*Answer.* Some was rented for a stipulated sum, and others on the shares. Where it was rented for a specified sum, it was generally two to three dollars an acre for the number of acres cultivated; where it was rented on the share, the rent depended upon what was furnished the parties. A part of my business was making advances.*Question.* How long has it been since you set up your store?*Answer.* Three years ago; immediately after I was mustered out.*Question.* You kept a general stock of goods for a country store?*Answer.* Yes, sir; a general stock.*Question.* Was your store located in any village?*Answer.* There is no village right where the store is situated. The only towns in the county are Manning and a small town down the river. Most of the merchandising is done in the country, in that section of the State.*Question.* This was a farming region all about you?*Answer.* Yes, sir.

Question. Did you have any difficulty in your business affairs?

Answer. Everything went on smoothly until last winter; I had no trouble with anybody; I got along finely.

Question. Your business, in your store and otherwise, passed smoothly till last winter?

Answer. Yes, sir; I had no idea of any trouble at all.

Question. You had no personal feuds or quarrels?

Answer. No, sir; up to that time I did not think I had a personal enemy in the State.

Question. You had no political quarrels?

Answer. No, sir; no political quarrels. While men would say to me that they differed from me politically, I attended to my business and they respected me.

Question. Were you an active politician in any way?

Answer. No, sir; I never took any part in politics except what was natural for a man to take. I would sometimes attend the nominating conventions as a delegate, at the request of the party; and that would be the end of it. I never held any office in the State.

Question. Did you ever make any political speeches?

Answer. No, sir; I never made any political speeches, nor held any office. I believe I did make one speech, but it was simply at a meeting I was invited to. There was a democrat who asked me to attend, and we held a discussion. But it was all pleasant; there was nothing offensive in it either way.

Question. When was that?

Answer. During the last campaign for governor, a year ago last fall, I think.

Question. What trouble or interruption in your business did you experience last winter?

Answer. There had been some troubles in the upper counties, and during last fall there had been some outrages committed on different parties in my county; but I was assured by prominent men—

Question. What kind of outrages had been committed?

Answer. Men had been taken and whipped, some had been shot at, others had been warned to leave their homes, &c. But I had never received any warning. I felt a little uneasy, of course, and I talked with some of the prominent men. They said they did not think I need apprehend any danger.

Question. Did you talk with prominent democrats?

Answer. Yes, sir; of course I went to them. I went to prominent citizens of the county who were democrats; they were not prominent democrats.

By Mr. POOL:

Question. Did they give you assurances of safety?

Answer. They said, "We do not think you need apprehend any trouble." They said this as citizens, not as members of any party. They said, "You are engaged in business. These are political feuds springing from political quarrels; and you need not apprehend any trouble."

By Mr. COBURN:

Question. State the particulars of the whippings, warnings, &c.

Answer. There was one case in which a man, a native of the South and a republican, was taken out of his house at midnight by a band of disguised men armed to the teeth; they took him down to a swamp and whipped him and left him tied there, telling him that that was for his turning traitor, or something like that, to his own party and family. He had a great many family connections, and had lately turned republican.

By the CHAIRMAN, (Mr. POLAND:)

Question. What was his name?

Answer. John Plowden.

Question. Where did he live?

Answer. In the eastern part of the county.

Question. On the other side of the county from you?

Answer. Yes, sir; it must have been twenty-five or thirty miles from my place of business.

Question. Did you understand that there was any allegation against him except that he had become a republican?

Answer. None in the world. He was among as good families as there were in the county; he was always an honest, hard-working man; there had never been anything brought against him that I had heard.

Question. Can you give us the particulars of any other case?

Answer. There was another case of a man named J. W. McCloud. This man had been in the confederate army, I believe, but he upheld the republican party; he had not joined in with the democracy; and, as he seemed to think, it was done by some of these young fellows who were piqued at him; he did not know whether they did it out of

personal dislike, but he thought they did it because there was a strong prejudice against him for being a republican, and that it was thought if they would maltreat him, it would be simply winked at—nothing done about it.

Question. Where did he live?

Answer. At that time he lived in the same neighborhood where the other man lived, about five or six miles from my home.

Question. Did you ever hear any allegation that he had done anything wrong except voting the republican ticket?

Answer. I never heard any one speak of anything particularly. They would abuse him; they would say, "That man I loved once, but now I consider him lower than a dog."

Question. Why?

Answer. Because he had turned against his party, as they said.

Question. Can you mention any other case?

Answer. There were some colored men who were maltreated.

Question. Taken out and whipped?

Answer. Yes, sir, I think so; we could not find out from the colored men whether they had been whipped or not; they said that they had been taken out, but what had been done with them they would not say.

Question. They were shy about talking of it?

Answer. Yes, sir; they would not tell what had been done to them.

Question. Did they say they had promised not to tell?

Answer. Well, you could not get anything out of them; they simply said they were in terror; they left there; one went off and staid some three or four weeks, and came back shortly after this affair of mine occurred—the second attack on me.

Question. Were there any other cases where they took out white men other than the cases you have named?

Answer. There were no other cases where they whipped them. There were cases where they warned them to leave—to close up their business.

Question. Mention the names of the men who were warned.

Answer. One was named Rame.

Question. A northern man or a southern man?

Answer. A southern man—a republican. He was a merchant, the same as myself. He was a planter, but he kept store in the winter time. There are a great many planters who in the winter time buy a stock of goods and sell them out, and in summer time attend to planting exclusively.

Question. In what part of the county was that?

Answer. This was in the southwestern part of the county. The first appearance of trouble was in that part of the county.

Question. They ordered him to leave?

Answer. Yes, sir. There was another man, in the southeastern part of the county, whom they took out. He was an Irishman and a republican. He would not tell whether they had injured him in any way; but he said he was obliged to quit business, or that he must get some protection. He said they had ordered him to quit business. He had come up there from Charleston. I do not know from what place he went to Charleston. About the same time I went into the county he came there and commenced business, and got along very well.

By Mr. BECK:

Question. Was he keeping store, too?

Answer. Yes, sir.

By the CHAIRMAN, (Mr. POLAND:)

Question. Did he wind up his business?

Answer. He closed up his business; I have not heard from him since. It was shortly after this that the attack on me occurred, and since that time I have not kept track of any of these men.

Question. You stated that these things being done about the country had alarmed you somewhat, and you had a conversation with some prominent men of opposite politics, who said that you were in no danger. Go on with your narration.

Answer. They said they did not see that I need apprehend anything; that these troubles arose from feuds, and that the men concerned in them were a set of rowdies, &c. They denounced them, and said they were men who had always been lawless; that men who had always lived in that part of the country could place their finger on them. They said I need not apprehend any danger.

Question. Go on and state what happened to yourself.

Answer. About the middle of December my stock of goods was pretty well sold out, and I was just about to order some more. I had all my bills made out and everything ready. My clerk was a young man from Ohio named Parker. I thought I would send him down after the goods. I knew the men from whom I was to buy them, and there

were simply orders that had to be duplicated. He started off on the evening of the attack.

Question. Where was he going to?

Answer. Down to Charleston to get these goods. I staid there at the store. I seldom staid there; I generally left it in his charge. I was generally in my office at Manning. I had advanced money to parties there to the amount of \$17,000, and I was anxious to get it in, as it was getting late in the season.

Question. Do you mean that you had trusted out money?

Answer. Yes, sir; on liens. My clerk went off that evening to meet the train, but he missed it and came back. He went to Manchester, about eight miles distant from the store. There had been several persons passing there on horseback that day—an unusual number; but we never apprehended anything and never thought of it till afterward; we then thought that perhaps they might have been the same party that attacked us that evening. I was looking after a drove of horses that a Kentuckian was to bring. I generally had an arrangement with these drovers to furnish customers for their horses, for a certain percentage of the profit. I was tired that evening, and laid down. Mr. Parker, after he had missed the train, came back. I then got up, and we sat and talked till I suppose it must have been 12 o'clock.

Question. In the store?

Answer. In the office adjoining the store. There was a little building which I had built for convenience, and I occupied that as a bed-room.

Question. A separate building?

Answer. Yes, sir. A little piazza joined it to the side of the store. The only entrance to the store was through the front door. We went to bed. I do not know how long we slept; I do not suppose it was over an hour and a half. About half past 1 or 2 o'clock I heard the clatter of horses' hoofs, and in an instant they were right up to the door and the riders had dismounted. I believe they did halloo once and made a jam at the door. In a minute more they were in on us. It was done as quick as lightning, almost.

Question. They broke in the door of this little room?

Answer. Yes, sir; the door of this office where we slept. Whoever they were, they evidently knew all about where we slept and how we were situated. When they burst in the door this young man sprang out. Immediately one of these masked men presented a pistol at him and ordered him to stand. Another presented a double-barreled gun at my head. It was quite a surprise to me to be taken up in that way. They seized me and raised me up.

Question. You were in bed?

Answer. Yes, sir. They came in there so quickly that I had not yet got on the floor. They took us out. They threw a coat over my shoulders and one over his. The air was frosty. They marched us off to the woods. We asked them who they were and what they wanted, but they made no reply. This young man remarked that it was cold, and asked them to allow him to put on his boots. They said, "You won't be cold long." They would make such taunting remarks as that. Some of them were evidently drunk; I could smell whisky on their breath, and from their actions I thought they were drunk. They marched us out into the woods some distance, and placed a guard of two men over each of us. Then the main crowd went back to the store.

Question. About what distance did they take you?

Answer. I suppose not over two hundred yards. The woods came right up to the corners on one side, and the rest was fields. Before they went back they demanded the keys of the store. I told them I could not give them the keys; that if they went into that store, they would have to go in by force. They said that was easy enough, and they did not insist on the keys. The main party went back, and I heard the breaking in of the doors. They ransacked the store. While this was going on, one party came down to where this guard was and asked me for whisky. I told him I had no whisky; that I did not keep it; that I kept almost everything else but that. They swore that I had some whisky and that they would find it; but they did not find it, because there was none there. This building that I kept store in was rented; it belonged to a southerner. All my dry goods—everything that was combustible—they took out into the square, and took a keg of powder that I kept in a concealed place, so that it would be out of danger of sparks or anything of that kind. They found it very readily. They took it out, piled the goods over it, and set the pile on fire. The goods, being calicoes, muslins, and delains, burnt slowly. They carried us up to the fire, and the speaker (they gave all their orders by signals) ordered his men to mount. They mounted their horses, formed in line, and then the speaker came up to me and told me, "You must quit business. This is only a warning; the next time we will put you on the fire." I asked him whom he represented and where he was from. I told him I did not propose to be a malefactor, or to do business against the wishes of the people, and if he represented the citizens I would like to know it. He said he was from hell and represented the devil; that he would take me with him if I did not obey orders. He made that remark in a jeering way. He then turned round and mounted his horse.

About this time the keg of powder exploded, and these men ran off, I suppose one hundred and fifty or two hundred yards, and left us standing there. They wheeled about and rode back. As they rode off the second time (I did not notice it the first time) I noticed an empty saddle; and they also in their haste left a double-barreled gun, which I have yet; it was heavily loaded with buckshot. They rode back to near the store and formed in line. They seemed to be consulting together. They were not more than thirty yards off. They consulted a few moments, and then rode off the second time. That is the last I saw of them.

Question. Did they take out all the dry goods there were in the store?

Answer. Yes, sir; they took out all the dry goods and everything that would burn. They did not take the shoes. There were shoes missing. I do not know what became of them. I suppose they were stolen by the party. They did not take out the shoes, nor the hardware, nor the groceries, but they took out all the dry goods and everything that would burn.

Question. What do you suppose was the value of the goods which they took out and burned?

Answer. I took an inventory afterwards; I did not close up the store; and the loss of dry goods was about two thousand dollars.

Question. And you think that some things which were not put on the fire were carried away?

Answer. Yes, sir; I have no doubt of it in the world. There were some things that could not be burned without leaving some trace of them, and as I found no trace of them in the fire, I believe they were carried off.

Question. They were gone?

Answer. Yes, sir.

Question. Did these men give any reason why they wanted to have you wind up business?

Answer. No. I could not get anything of that kind out of them. All they would say was that all I had to do was to obey orders.

Question. Did they say anything about you and Mr. Parker being Yankees and republicans?

Answer. They said nothing of that kind to me. The only remark I could catch was while this burning was going on. One of them remarked to his comrades, "there is a spark from Potter's flame."

Question. What did that mean?

Answer. I cannot tell except that General Potter was the man who made the raid through there just at the close of the war. He burned a great deal of cotton and other property; and the people generally felt very indignant against him.

Question. General Potter was an officer of the federal army who went through there during the war?

Answer. Yes, sir; he joined Sherman, I think, somewhere about Camden.

Question. Go on with your narration of the events of that night?

Answer. I had a couple of good saddle-horses in the stable, but I had some difficulty in finding saddles, and I suppose it was a full hour before we got the horses saddled. Mr. Parker and I rode to the first plantation and borrowed a couple of navy revolvers; we had no arms at our place. Feeling there was no danger we seldom or never carried a weapon. The gentleman from whom we borrowed these navy revolvers said he had heard horses passing there, but did not know who the party were. We thought we recognized some of the voices and knew they were not citizens of the community, but men from the eastern part of the county—the same gang that had been perpetrating outrages over there. They took the road to Manning, which is about fourteen miles east. We struck through this gentleman's plantation in order to strike a point on the road between that and Manning. We thought we might anticipate them, or at least see the direction they took, if we did not attack them. We rode down some distance; I think about four miles; and as we galloped to a cross-road we heard a shrill whistle from the bushes, and instantly two men appeared on the road, sprang on their horses and dashed down the road in front of us, we after them.

By Mr. POOL :

Question. Were they in disguise?

Answer. They were so far ahead that we could not tell whether they were in disguise or not. We were gaining on them and they turned into an old field into the bushes. I wanted to fire on them, because I felt certain that they were a part of the men who had been perpetrating this outrage on me. This young man would not let me fire. He said they might be fox-hunters; that we did not know who they were, and we might render ourselves liable to punishment if we fired upon them; that our object was to find out who they were. They wheeled into the bushes, and we did not think it proper to follow them. We turned back to the cross-roads, and turned down and went some distance. We heard a gate slam to about a quarter of a mile off; it was a clear, frosty night and we could hear it. We rode down to that place thinking per-

haps one of the parties might live there. We thought for any one to be coming in at that time—3 o'clock in the morning—was suspicious. We rode up there and called the man out. He came out immediately with his coat and vest on. His vest was unbuttoned and he was in his stocking feet, as if he had been sitting before the fire. He bid us good morning and passed a few words. We asked him who shut the gate a while ago. He told us that a colored man came there for his mule; that he had just got up and let him have it for one of his neighbors. We did not like the story, and asked several questions to satisfy ourselves whether he was one of the parties. He asked us what was the matter. We told him my store had been plundered and the goods burned, and we were after the marauders. We told him we heard his gate shut and we wanted to satisfy ourselves; that we did not want to suspect any man wrongfully. He broke out in a strain of sympathy, saying that he was very sorry to hear anything of that kind; that such a thing was a great misfortune, not only for the men outraged, but for others, because they did not know at what time their houses might be burned or themselves butchered; that he hoped we would find the parties who did it. We went on to the place of the man he said he had loaned the mule to, and found it as he said; so we were in as much mystery as ever. We started on, and when we got within seven miles of Manning—about a mile perhaps this side of another cross-roads—we suddenly rode up to a man riding on a mule. He wheeled to run, but we were too close. We ordered him to halt. He did not halt. We were almost upon him; he looked around and saw that I had my revolver out, and I told him I would shoot him if he did not halt. He then stopped. He was a man whom I knew well. Before I could say anything he said, "I am sorry I have met you; I was just going up to your store." I told him he was going the wrong way to go to my store. He said that he had seen us coming and thought it was the Ku-Klux. I told him I would like to see him a moment. I took him off a short distance alone, telling Parker to stand there on his horse and watch. I thought he was probably one of the party, and I necessarily felt very angry towards him. I spoke very short to him. He began to get scared. He had no arms about him, apparently. He might have had, but I did not see any. I had my navy revolver out. He began to suspect from my talk that I was going to shoot him, and began to talk very humbly and pitifully. He spoke of his wife and children, and said he was innocent. He said this of his own accord, without my accusing him, and that he would join me at any time in hunting up this band of robbers, whose operations, he said, he deprecated as much as I did.

By the CHAIRMAN, (Mr. POLAND:)

Question. Had you told him what had happened?

Answer. I had told him my store had been burned, and that I was in pursuit of the men who did it; that I felt like shooting down the first man that I met if I knew he was one of the parties. After talking a while with this man, I could not get anything out of him. I told him I had seen two men come down that road, and that I was certain he must have met them. He swore very earnestly that he had just turned into the road about half a mile from there; that he had come straight from his residence. I told him that 3 o'clock in the morning was a queer time to come to my store to trade horses. That is what he said he wanted to do. He said the reason he started so early was that he had understood I was going off to Sumter next morning, and he wanted to catch me before I went. This man had never been to my store, though I had dealt with him a good deal; he had always met me at Manning. I advanced supplies to him once. He said he entertained the most friendly feelings toward me, &c. I turned him loose.

Question. How far from his home did you find him?

Answer. It must have been about three miles from his home.

Question. Was he going in the direction of your store?

Answer. When we rode up on him he was going toward the store, but he wheeled and rode off, and attempted to get away.

Question. He apparently was going in the direction of your store?

Answer. We came on him so suddenly that we could not tell whether he was standing still or going.

By Mr. POOL:

Question. What time of night was this?

Answer. About 3 o'clock in the morning, I should judge.

By the CHAIRMAN, (Mr. POLAND:)

Question. How far was it from where you met him to your store?

Answer. It must have been about five miles. It was a mile and a half or two miles from the corner that I spoke of.

Question. He was on a mule?

Answer. Yes, sir.

Question. Did any of the men who were at your place ride mules?

Answer. I was satisfied, though I could not swear to it, that about half of them were

on mules. We have mules there that can travel just as well as horses. I rode to the corner where the man lived whom we had suspected. We thought we knew his voice, and we determined to go and get what evidence we could. It was then about daylight—it was just daybreak. As we rode up we met a man afoot coming up toward his house. We spoke a word to him, and found that it was a brother-in-law of the man that we were going to see. He said he was just going fishing; that he had just started out that morning and was going to get his brother-in-law to go with him. We told him to call out his brother-in-law. He went in and called him out. He was perhaps a quarter of an hour in coming out. When the man came out he had a very haggard look about him. His eyes were very red, and he looked as if he had been dissipating all night. He was a man we were well acquainted with—a man I had done favors for, and it seemed to me he had a guilty look. I felt satisfied he was one of the party; and Mr. Parker, my clerk, felt satisfied of the same; for the man had a peculiar, cracked, thin voice—just such a voice as one of the spokesmen of the party had. We thought we could not be mistaken in regard to the voice.

Question. You thought you recognized this man at whose house you stopped?

Answer. Yes, sir. We talked with him a little while, and finally Mr. Parker took him off to one side and told him that he believed he was one of those who had attacked our store; that he knew he had heard him express himself very often as to what such men as that deserved, and wanted him to explain himself right there. Said he, "You have got to give a satisfactory account of yourself; if you do not, you know the consequences." The man blurted out fearfully. He said that if he was to drop down below into the fiery regions in a minute he would say that he would not be engaged in any such transaction; that he could prove by his wife, by one of his children about eighteen years old, by his mother-in-law, and one or two others, where he was. Mr. Parker said that the reason he tried him that way was that he thought he could perhaps by his expressions draw something out of him. He was a very talkative man, and Parker thought he might in talking give some further evidence of his guilt. We finally rode on into Manning. We found the pursuit was useless; we could not get trace of these men; we had lost track of them completely. I had not been in Manning more than half an hour before this man at whose house we had stopped came galloping in. He was a man who got on sprees occasionally. He went up to a store and got to drinking. He talked about this outrage—what a fearful thing it was. About noon he came to my house in Manning and said, "You have been attacked. You think you know who the men are, but you don't; mind what I tell you—you are deceived." It seemed to work on his mind that I suspected him, and he appeared to come to clear my mind from that idea. He went on to tell me a great deal. Among other things he said, "I am a friend of yours; you have befriended me; you have advanced corn and bacon to my family when I could not get credit anywhere else—when I was just going through bankruptcy. I therefore think I ought to tell you you are in danger; I want you to understand you are in danger. I cannot tell you who you are in danger from; I don't tell you I know, but I simply tell you to watch and pray." I told him I was very thankful for his advice and would certainly take heed by it. He left me. I then went up to Columbia to see the State authorities. Before that, however, the next morning we ascertained that they had gone to attack another man, but he was not at home.

Question. Where did he live?

Answer. This was the same man who had been attacked once before; they attacked him a second time.

Question. Was he one of the men you have named before?

Answer. Yes, sir; his name was Rame. These men, as we supposed, had gone there to avoid the main road to Manning; that they had gone to attack this man, and then rode off in the direction of Manning.

Question. Tell us about the attack on Rame?

Answer. When they went to his house he was not at home. His house was some distance from the store. His wife, who was in a delicate condition, was at the house, and was very much frightened at these men rushing in on the piazza and kicking in the door. She sprang out of bed and rushed out of the back door into the woods and into a pond, which almost caused her death afterward. This man had gone off on some business and was not at home. They hunted for him, and, not being able to find him, they went to the store where his clerk was sleeping. They broke into the store. This man had been in the habit of having a fire in front of his store, just a log-heap, which was smoldering. They took a lot of his goods out and threw them on the fire and then tried to find some whisky. The clerk told them he had no whisky. They swore that he lied. He was a young harum-scarum fellow, and they told him that if he did not furnish them whisky they would burn him to death. They took him and held him over the fire to make him tell where the whisky was, until they scorched his trowsers nearly off; and then some of the more sober ones made them quit. They then rode off, no one knew where, but it was supposed to Manning.

Question. They took out some of the man's goods and put them on the fire?

Answer. Yes, sir; about three hundred dollars' worth—so this man told me afterward. Since that time his store has been entirely burned down. He made active efforts in the same way that I did to bring them to justice.

Question. How long after this was his building burned?

Answer. Just before I was attacked the second time; but it is not known whether it was burned by disguised men, or by some incendiary. I went up to Columbia to see the State authorities. They said they had no troops, that they could not afford to send us more protection than we had.

Question. Did you get any proceedings started against anybody? Did you take out any warrants or anything of that kind?

Answer. No. I went to a lawyer, and he said, "While I admit that these men ought to be brought to justice, I think it is the worst thing you can do to attempt it. They are a set of men who have committed murder, and will do it again. They have no regard for life or property. They do not regard my life any more than they do yours."

Question. Where does this lawyer live?

Answer. In Manning. He said: "You come to me and ask my advice as an attorney. I advise you to keep perfectly quiet; not to say a word about this to any man; not to open your mouth about it. We are here in a state of anarchy almost." He was a democrat, although he was a very good friend of mine. He said: "You can do as you please; but I would not advise you to take any measures against any of these men until you are sure you can bring them promptly to justice; and you have no certainty of that now." I took his advice and the advice of other men, and concluded it was best to get what evidence I could, but not to attempt to make any prosecutions against them. I was not certain who the parties were. Those I was most certain about seemed to be able to prove where they were, and it seemed useless to attempt to prosecute.

Question. You felt as sure that this man to whose house you went was one of the party as you did in regard to any one else?

Answer. Yes, sir; he was the man I did feel certain of. In order to make my convictions more certain, I did not remark to Mr. Parker who I thought the man was; but I asked him who he thought he was, referring to the spokesman. He named the same man I believed him to be.

Question. That was the man to whose house you went?

Answer. Yes, sir; and this young clerk whom they had held over the fire, we asked him, without expressing any opinion, who he thought the spokesman was—the man who had been, as it were, the life of the concern—and he named the same man.

Question. You followed this lawyer's advice, and kept quiet?

Answer. Yes, sir, I kept quiet. When I went to Columbia, the State authorities said that they could afford no further protection; that they had done the best they could; that everything was in a turbulent state anyhow, but that they did not think there would be any more trouble. I found that I would have to close up my business. Some of the goods that were on the way I stopped.

Question. Goods that you had ordered?

Answer. Yes, sir, some groceries. Having some \$8,000 still uncollected on liens, and having these goods destroyed, it almost paralyzed my collections. Since that time I do not think I have collected \$500.

Question. Did you remain there?

Answer. Yes, sir; I was there about one-third of the time. I had to go and make arrangements for my obligations. My bills were coming due. I owed about twelve or thirteen thousand dollars at that time. The bills were coming due, and I had to make arrangements to meet them.

Question. Did Mr. Parker, your clerk, remain?

Answer. He remained there and attended to the business. He took an inventory of the store. I wrote to my creditors. They said they would give me all the time I wanted. I was closing up my business very nicely. As fast as I would collect anything I would pay off; I paid off nearly \$6,000 after the destruction of my goods; and by this time I think I would have had the business all cleared up; but after I came back from Columbia they got up all kinds of reports; men seemed to think they were going to be arrested, and they were uneasy. It was about the 15th of March, at night, when the second attack upon me occurred. I was in my own house; it was a house I had recently sold; it had been my residence ever since I had been there; but finding I could not meet my bills fast enough, I thought I had better sell off some of my real estate to help me meet them. I had just sold this house to the editor of the paper there; he had moved in about three weeks before; but he had not paid quite all the purchase-money, and has not yet. I was not to give up possession of the house until he had paid for it entirely, so that I was just waiting there. I occupied one room and he occupied the other three. There was a hall running through the center of the house. Mr. Parker and I were occupying the northeast room next to the street. The house was set back with a yard in front. From circumstances which appeared afterward, it was evident that the men concealed themselves under the house. I did not go

into the house until 11 o'clock; I had been in the country to settle up with a gentleman. The colored boy put my horse away. Mr. Parker was intending to return home to Ohio.

Question. He was with you in Manning?

Answer. Yes, sir; he had met me when I came from Columbia and advised me not to go to Manning. He said he was satisfied from appearances that I was going to be attacked at night, or that I would be attacked on the street by some rowdies; but my business was there, and I felt that I was in the right in being there. He said that if I insisted on staying there he was not going to stay any longer. He had intended to go home the 1st of January.

Question. Go home to Ohio?

Answer. Yes, sir. This first attack occurred in December. He concluded he would stay with me until the 1st of April. I was settling up with him that night; we were engaged half an hour or three-quarters of an hour in settling up. What convinced me that these men were lying under the house concealed was this: The house, like most southern houses, is set up above the ground some distance; a man stooping could almost walk under it. These men repeated to me some of the conversation that had passed between me and Mr. Parker. I came in a little after 11 o'clock. After settling up with Mr. Parker I went to bed and had just dropped off into a doze. He was bathing in a tub in one corner of the room. The bed was in another corner. This colored boy went out after a pitcher of water; he went to the yard and drew the water. We generally kept our door locked. Just as the colored boy was coming in the door, these men made a rush into the hall and into the door. I sprang out of my bed on to the floor. Our two revolvers were lying on the table in one corner of the room. I made a rush for the revolvers; so did Parker, who was in another corner of the room. He struck at one of the men and staggered him, and that instant one of them struck him with a pistol and laid him senseless. The first one grappled me. Another of them cried out, "Shoot him! shoot him!" Just then one of them struck a window-blind with what was apparently the butt of a gun—something heavy. I knew then the house was surrounded. The room by this time was about full, and just as the man sung out, "Shoot him!" I received a heavy blow on the back of my head. It made my head swim. Everything seemed vague to me. When I came fairly to, they had me blindfolded, and two of them had me by the arms holding me fast. They drew on me a pair of old trousers. They never let me go for a minute. They hauled us out of the house. These other parties living in the same house were sleeping in the very next room, but they never raised any alarm. One of the party of men took charge of this colored boy. They took us out to a swamp about a mile distant. The colored boy they took about half that distance. He is a faithful, sensible boy, and he says that he is satisfied that some of the parties are men that he has always been waiting on; he knows them by their forms and by their voices. When we had got half way down to the place they were taking us to, my clerk attempted to get loose. He tore the bandage off his eyes and said he would not go any further. One of them shoved a double-barreled gun against his breast, and told him he would put a load in him if he did not move on. He moved on. When we got to the swamp they had him a distance of about one hundred and fifty yards from where I was. I heard his groans. They were evidently putting him through some process, and were a good while about it. There were two or three men guarding me. I could not see them, but could tell by their footsteps that there were about that many. The main body of them came down to me and ordered me to cross my hands. I did not cross my hands, because I determined that whatever they did they would have to do by force. Some one behind me grabbed me by the shoulders and jerked me backward. At that moment some one tripped me and threw me down. In the struggle the bandage came off my eyes, and they were about to gag me as I supposed. I gave the Masonic sign of distress, and the leader blew his whistle and they all left him.

Question. You gave the sign to him?

Answer. I just gave the sign—to nobody particularly.

Question. So that they could all see it?

Answer. Yes, sir. All but the leader then left. He remarked, "Well done, brother;" that is the first remark he made to me after they got out of hearing.

Question. They all left except him?

Answer. Yes, sir; he was apparently their leader. He told me candidly, not in a threatening way, that we had disobeyed the orders of their Klan; that we had butted against the powers that be; and that the decree had gone against us that we must be got out of the way.

Question. Did he tell you how or why you had offended?

Answer. No, sir; he did not tell us. He went on to say that that sign of distress had saved my life, and that if I would leave the State within twenty-four hours, he would vouch for my safety, but no longer; he said he was not able to do it any longer. I told him very well, that I would not think of holding him responsible longer than that time. I was about to ask him a question when he blew his whistle again, and these men came back in double-quick time. They gave their orders, marched, &c.,

all in military style. They had evidently been soldiers, or had been trained. The principal part of them came back. While they were away, he held me up but did not untie me. They took me out near the road; they had us in the first place at the swamp just on the edge of the water. They took me out near the road, and they told me to sit down. I sat down. They run a stick across my arms and under my knees—"bucked" me, as they term it in the army. They left me there in that condition. In the struggle my coat, which had been just buttoned over my shoulders, had fallen off.

Question. Was that all the clothing you had on?

Answer. No, sir; I had on an old pair of trousers and my night-shirt. The leader sent a man back to put my coat where I could lie over upon it; the ground was damp; it was a cold March night. They then left me and marched off up the path.

Question. Toward the town?

Answer. The path does not lead directly to town but to a road that leads to town. I did not know what had become of Parker. My first step was to try to get loose. I worked and worked, and must have been half an hour trying to work that stick out. My hands were tied in front of my knees, and the stick was run under my knees. After working about half an hour, I succeeded in getting the stick out, and got upon my feet. About this time I heard foot-steps approaching. I did not know but that it might be the same gang returning; so I stepped off into the shade of the woods a little. Directly I heard a voice calling me by name. It was this colored boy that had been taken out. He came up very much agitated, and told me what they had done with him; that they had simply taken him out and put a guard over him. He said this guard was a brown boy, his own cousin, that he had played with many a time. He said they took him back near the house and told him, "Go in and stay, and if you put your head outside the door before daylight you will be shot." They told him that the town was full of men. That was to frighten him, I suppose. He went into the hall and went right out the back way to the woods and came where we were. He thought we were in a suffering condition, and he came to relieve us. He had his knife with him, and he cut the cords with which I was tied. We went to where Parker was. We found him tied in a most brutal condition. I never saw a beast tied in the way he was. His back was against a pine-tree; his arms were drawn close around behind it; a strong stick was in his mouth and fastened with whip-cord, which was tied so tightly around his neck that the cord had sunk into his flesh, and his neck had begun to swell. It was with great difficulty that we could get the cord cut, the place was bleeding so. I thought his throat was cut, but found that he was only injured from that blow from the pistol, and from being tied in that condition. He was so nervous that I could hardly get him up to the house. We did not go to the house immediately. This boy told us that he thought those men were patrolling about, and perhaps if we went up then we might get waylaid and shot. We thought it prudent to stay in the woods till daylight. When daylight came we went to the house. I sent for the doctor and got him to dress the wounds of Parker the best he could. I went and called on the sheriff and told him what had happened. I asked him if there was to be any protection afforded to citizens. I said that I was a tax-payer, and had always acted the part of a good citizen; that I was ready to answer any charge that might be brought against me. I asked him if he knew of any, and he said he did not. He said he was not only astonished at the occurrence, but regretted it as deeply as I did, but that he could not say anything about affording protection. I told him what was the alternative with me—that I would have to leave within twenty-four hours or perhaps be killed. I asked him what he thought I had better do. I went also to the mayor, and the advice of both was the same. They said, "We are certainly not competent to advise you; but we cannot do anything. We are just as much in the power of these lawless men as you are; we do not know at what time we may ourselves be subjected to this kind of treatment. We have no power and can do nothing." That was all the satisfaction I got. I went to several prominent men of the town; they thought it was better for me to leave, otherwise I might be waylaid when traveling on the road; that men who would do such a thing as that would not hesitate to commit murder. When I got back to the house I had found my pocket-book and Mr. Parker's gone, and also our revolvers. My pocket-book contained all the money that I had, as well as my notes; and I had no money to get away with. I got a horse and buggy that evening, and in company with Parker drove up to Sumter. I went up to Columbia and laid the circumstances before the governor. He said he was in the same fix that he had been before; that he had no troops; that they were just arriving at that time; but that as soon as they came he would send them down. It was too late then, at any rate, so far as my property was concerned; everything had been sacrificed. Mr. Parker went on north. I borrowed money enough to pay him off, and he went home. I had to remain to settle up my business. At that time there was a good deal of excitement in the city. I went over into Georgia and attended to some business and staid there some three weeks. When I came back to Columbia I saw a man from Clarendon, who said he thought public opinion had turned

so strongly against these raids that it would be safe for me to go down there; I went there and found my affairs in a bad condition. My property was in a measure abandoned; I could not control it. I turned everything over to the United States court for the adjustment of my obligations. The sheriff of Sumter, who is a friend of mine, told me when I passed through that place that I had better take a deputy marshal with me.

Question. When you speak of turning all your property over to the United States court, do you mean that you went into bankruptcy?

Answer. Yes, sir; I turned my effects over to the United States court for adjustment; that was the only thing I could do. The deputy marshal went with me down there and attended to some business. He went back to Sumter a week afterward. At Sumter I met a gentleman who had been a colonel in the rebel army. He was one of these high-toned men—

Question. Where does he live?

Answer. In Clarendon County, on the river. He told me he was highly insulted. I told him I would like him to explain the nature of the insult. He went on to say that I had come down there to the county with a United States marshal, armed, which was equivalent to publishing to the world that theirs was an uncivilized community. That was the ground he took. I told him that he must know of the treatment I had received, and that I could not have any other opinion of the community; that while I did not blame the community altogether, yet it had not prevented what had occurred, and that of course I could not have much good-will for it. He went on to say that no man could come through that county in that way. I told him that if one man was not enough, I should come with a whole company of cavalry; that my business was there, and that I should attend to it. After a while he changed his tone all at once, and said, "When you come to that county, if you will notify me, I will meet you at the county line with fifty men, and guard you all through it. I represent the good citizens of the place, and no man shall disturb you." Said he, "I represent the soldier element. I commanded those men in the army; and if any combination of men turns against you, I have influence enough to crush them out, and hang every one if necessary." "I do not believe," said he, "that there is any regular organization;" (he emphasized that; he would not admit that there was any organization;) "but if there is one, I believe they are my friends. I do not believe there was any regular organization that attacked you. I do not know who it was." There he stopped. I told him I would think over his proposition; that I would much prefer to go through there alone, rather than with troops at my heels, when I was attending to my business. I consulted with some friends, and they said he would stick by whatever he said; that he held his honor in high estimation; that he felt a kind of a county pride; that he had been a member of the legislature, and wanted to be again.

Question. What is his name?

Answer. Colonel H. L. Benbow. I rode down to his house on the day appointed, and he told me, "I have sifted this matter out, and I find that you will be perfectly safe to go anywhere you please through this county. I have talked with different citizens; and I have appointed a representative to accompany you, to give you assurance that you will be safe." He wrote a letter to a young man at Manning.

By Mr. BECK:

Question. What is Colonel Benbow's post office address?

Answer. Wright's Bluff, in the same county. He wrote a letter to a young man—

By the CHAIRMAN, (Mr. POLAND:)

Question. What is his name?

Answer. Scott Harvins. His address is Manning. Colonel Benbow wrote to this young man saying that he had assumed the responsibility of securing me a safe transit through the county, and he wanted him to accompany me and protect me from any combination of men that might attack me, or attempt to maltreat me; that he felt that the citizens would sustain him in such a course; that it was due to the county, &c., that they should afford proper protection. I took that letter and went to Manning. I there met some men who were of the same standing in society as himself; and they said that while this man would no doubt do the best he could, while he meant it all in good earnest, yet they would not trust themselves with the man the letter was written to. They said they had reasons for it. In the mean time the county commissioner had been assassinated. That happened between the time I was last attacked and the time when I returned to Manning.

Question. Who was that county commissioner?

Answer. His name was Lemon.

Question. Was that done in Manning?

Answer. Two miles from Manning. This is the same man who I told you was taken out, and would not tell what they had done to him. He went off and then came back again. When he came back just after this attack on me he got a notice to leave. I attended to my business that day in Manning. These men with whom I had spoken

(they were democrats, but friends of mine) advised me not to put myself in anybody's way, and not to go around the county attending to my business in company with the man to whom I had the letter; they thought I had better go alone.

Question. They thought that this man whom Benbow had sent you to was not a trustworthy man?

Answer. They did not think they would trust themselves with him. So I attended to my business and left there. That is the last time I have been there.

Question. I believe you have not stated how many men you thought there were at the time they burned your goods?

Answer. According to the best I could judge I should say there were twenty or thirty.

Question. You did not try to make an accurate count of them?

Answer. No, sir; it was impossible to do that.

Question. Were they all disguised?

Answer. Yes, sir; all I saw were disguised.

Question. As to those you thought you recognized, you recognized them by their voices?

Answer. By their voices; that was about the only means we had.

Question. Was it pretty dark?

Answer. It was just medium; it was starlight. If I am not mistaken the moon was perhaps in her last quarter.

Question. The last time, when they took you out of your house at Manning, about how many men did you think there were? Could you form any estimate?

Answer. I could not well form an estimate; but I judged there were from fifteen to twenty men.

Question. Were they, so far as you observed, all disguised?

Answer. All that I saw were disguised.

Question. Did you have an opinion as to who any of them were? Did you recognize their voices?

Answer. The only voice I thought I recognized was that of the one who spoke while we were there. He spoke in an excited voice, and I thought in a natural tone. I thought I knew him.

Question. You mean at the time you were trying to get your pistol?

Answer. Yes, sir.

Question. Whom did you think that was?

Answer. His name is Ridgill. He is a blacksmith and lives about half a mile from Manning.

Question. You say this colored boy thought he knew some of the men?

Answer. In order that I might have his opinion I did not say a word to him about who I thought the man was, and I never have yet; but I asked him if he thought he knew any of the men, and he gave me the names of those he thought he knew. This one man that I thought I recognized he said he knew to be one of them; he said he had been raised with him.

Question. Can you tell anything that these men said besides what you have stated?

Answer. Nothing that they said to me; I can state what they said to Parker.

Question. What did they say to him?

Answer. He had been there in the position simply of a clerk, and was a very inoffensive man, very pleasant and sociable.

Question. How old?

Answer. About twenty-two. He had no offensive ways about him, only he was active in his way and positive in his opinions, but not abrupt. He was pleading with these men, and he asked, "What in the world have I done that is wrong?" One of these fellows, a young fellow of his own age apparently, or younger, spoke up and said, "You are a damned Yankee, and that is enough," or something to that effect.

Question. Did they say anything of that sort to you?

Answer. No, sir; nothing of that kind was said to me.

Question. Was anything said about voting or about politics?

Answer. No, sir; none of them would answer me any questions at all. On the way out to the woods I asked several questions, but they would not answer them; they only told me to keep still; that they were not there to answer questions.

Question. You say that during all the time you had been there you had had no quarrel with anybody?

Answer. No, sir; not up to the time of this attack.

Question. No business difficulty?

Answer. No business difficulty whatever.

Question. From the time you commenced business there down to the time of the attack on your store, everything had gone smoothly with everybody in all your business?

Answer. Yes, sir. My gross sales, including stock, amounted on the average to \$40,000 a year.

Question. You were doing a prosperous business?

Answer. Yes, sir; and I never had a lawsuit with anybody; I had never fallen out with anybody in business transactions; I thought I had the confidence of the best citizens.

Question. Have you any idea of the motive for this destruction of your property and this bad treatment of yourself?

Answer. The only idea I have is that which I formed from a talk afterward with citizens of the county.

Question. What is the theory of the men you talked with as to the reason of the commission of this crime upon you?

Answer. Their theory is, in the first place, this: a part of my business was making advances. I had made advances to both white and colored men. A great deal of labor could be procured there, and was procured, for a trifle, in the summer time, when the negroes are generally improvident. There were a good many industrious men, who, if they could get a start, would make crops of their own, and become independent farmers. In every such case, where colored men could bring proper recommendations, and show evidences of industry, I would make advances to them as well as to white men. My advances were about half-and-half.

Question. You would advance supplies to them and take a lien on their crops?

Answer. Yes, sir. I had charge of a good deal of land. I was agent for some, and I leased some.

Question. You had charge of some land belonging to others, and some you owned yourself?

Answer. Yes, sir, I had charge of some land of parties who were absent.

Question. You rented the land out in small portions to white men and colored men?

Answer. Yes, sir; I rented it to whoever applied for it, if I was satisfied he would pay. The theory of these men with whom I talked was, that in that way I took away a great deal of labor. They did not say it in a vindictive, but in a friendly way. They said, "You have taken a great deal of labor from white men around here. Of course, the good farmers do not care; they can get all the labor they want. But there are many men in our country who do not pay their laborers properly; when they have good hands they do not know it; and if these men can leave them and become independent farmers, they are going to do it. While we do not say your proceedings are not perfectly legitimate and right, yet they have created a prejudice against you with this class of men. But while you were prosperous and doing well they would not say anything that you could hear."

Question. There was dissatisfaction with your furnishing aid to these men?

Answer. Yes, sir, they said it was taking labor from them. That was one cause of dissatisfaction, as well as I could gather it. Another was, these men said that at the political conventions, while I had taken no active part in politics, I had been active in keeping the party organized. These men said that there were but two or three men in the county that would organize the party, or could do it; and I was one, and many of the people round there were determined to stop this negro office-holding.

Question. In Clarendon County what proportion does the colored population bear to the white?

Answer. The colored population is considerably in the majority.

Question. Are there more colored voters than white?

Answer. I think there are.

Question. Does the county go republican in the elections?

Answer. It has gone republican heretofore; but the democrats have had a good many offices that were filled by appointment, with the consent of the republican senator.

Question. Who is sheriff of the county?

Answer. His name is Clark.

Question. Do you know his politics?

Answer. He was elected as a republican.

Question. You applied to him to take some action in the matter?

Answer. Yes, sir.

Question. He said he could do nothing?

Answer. He said he could do nothing; otherwise he would be very glad to do something; that there was more prejudice against him than against me. He said, "I have run on the republican ticket; and I have taken the iron-clad oath." He had been a revenue assessor before that.

Question. Was he a northern man?

Answer. No, sir; a southern man.

Question. You applied to the mayor?

Answer. Yes, sir.

Question. How large a place is Manning?

Answer. The population is six or seven hundred, I should judge.

Question. Is the mayor of that town a republican or a democrat?

Answer. A democrat.

Question. He said he could do nothing?

Answer. He said he could do nothing; that it was out of his power to do anything; that he dare not open his own mouth.

Question. And you applied to the State authorities?

Answer. Yes, sir, I applied to the State authorities, and the governor said that troops were expected shortly, and that as soon as they came he would furnish proper protection, but that he could not do anything before those troops arrived.

Question. Has any prosecution been commenced against anybody for any of those transactions?

Answer. No, sir.

Question. You could find no way to do it?

Answer. No, sir, I could not find any way to do it. If I could go back there in safety, I have property enough there to pay all obligations and leave me enough to start business again.

Question. At the time of the attack on your store everything was going prosperously with you?

Answer. Everything was going on well. I had not a bill due in the world; and I had good credit.

Question. You had a great deal more due you than would have paid your obligations?

Answer. Yes, sir.

Question. As to this young man, Parker, did these men do any violence to him besides tying him to a tree?

Answer. They did no violence besides tying him to a tree in the severe manner I have described.

Question. They did not whip him?

Answer. No, sir.

Question. You were not beaten?

Answer. No, sir. I think from the way they tied Parker, and from the conduct of the men who had hold of me, that they were very much agitated. They appeared to tremble as though they were frightened. I was led to conclude from the circumstances, and from what the leader told me as a Mason, that they had taken us out with the intention of killing us.

Question. He told you that nothing but the Masonic sign had saved your life?

Answer. Yes, sir.

Question. Had you any idea who that man was?

Answer. I have an idea; but I do not know whether my opinion is correct or not?

Question. You belong to the Masonic order yourself, and you suppose he did?

Answer. Yes, sir; he must have belonged to it, because he recognized and acted upon this sign which I gave.

Question. Has anybody been prosecuted, or anything been done in the way of bringing to justice the perpetrators of these offenses?

Answer. No, sir.

Question. You said the commissioner was killed?

Answer. Yes, sir; the county commissioner.

Question. Was that afterward?

Answer. That was after I was driven off.

Question. Who was he?

Answer. He was a colored man; he had been in the Army; and there was a great deal of grudge against him on that account; they generally dislike especially a colored man who has been in the Federal Army.

Question. Was he elected by the people?

Answer. Yes, sir.

Question. What sort of a man was he?

Answer. He was a very sensible kind of a colored man.

Question. A man of good character?

Answer. Yes, sir; a man of good character; he had never been known to do anything bad.

Question. Who killed him?

Answer. That is a mystery; nobody knows.

Question. Was it done by a band of disguised men?

Answer. He was assassinated; he was decoyed up to town by a letter which had been written to him; he came to town and showed the letter to some of his friends; it made an appointment with him to meet some man from another county; he came up to meet him and waited until about 5 o'clock in the evening, when he started home; when he got about two miles out of town he was fired upon by six or eight men, as the evidence goes to show, and was killed; his body was filled with buckshot.

Question. How is it known that there were six or eight men?

Answer. By the number of shots that were in his body and in the buggy, and by the tracks, &c.

Question. Nobody saw anything of it except those who did it?

Answer. No, sir; the gentleman who told me of it lived near there and heard the guns.

Question. He saw nothing?

Answer. Nothing.

Question. Whether the men who did that act were disguised nobody knew?

Answer. No, sir.

Question. And nobody knows why it was done?

Answer. No, sir; nobody will say.

Question. Was there any charge that this man had misbehaved in his office—had done anything wrong as commissioner?

Answer. I never heard any charge brought against him, only that he was a black man and had no business in office—was not competent for it; that was the only complaint.

Question. Did you ever hear any complaint as to the manner in which he administered the duties of his office; did you ever hear it alleged that he had done anything wrong as commissioner?

Answer. I never heard anything against him in that way.

Question. The people generally do not like to have a colored man hold office?

Answer. No, sir. This man had been taken out, and then he left; he came back and then received a notice to quit the county. He treated the notice as a joke—paid no attention to it. He treated it so lightly that he wrote in the name of another man, a white man; he did it at the suggestion of some wags. The man whose name he inserted was a kind of eccentric druggist. He put the letter in the office; but he never scratched out his own name.

Question. It was apparent that the notice was changed and was just sent to this white man in jest?

Answer. Yes, sir. The man was very indignant at it, and attacked the negro with a pistol, and was going to shoot him.

Question. For doing what?

Answer. He considered himself insulted. These men who had made use of the negro in order to play the joke, took his part, of course, and would not let the druggist trouble him. Then the colored man began to think over the matter, and when he saw it was a somewhat serious thing, he talked with some of the white men and asked them what they thought of it. They told him they could not express an opinion; that if they advised him to stay, then if anything should happen to him, they would feel that they had done wrong; and they would not advise him either way, only that they thought he ought to be careful. He did not think any more of it. He had been raised in that neighborhood, and had always been a faithful negro, as his old master testifies. When he got this letter he came up to town, and as he was going back he was shot.

Question. How long was this first transaction before he was killed?

Answer. That was after I left.

Question. All this occurred after you left?

Answer. Yes, sir.

Question. It was not a great while before he was killed?

Answer. No, sir.

Question. You had gone down there, purchased land, gone into business, and intended to make your home there?

Answer. Yes, sir; I liked the climate and the people, and thought I would make it my home.

Question. You behaved yourself in all respects as a good citizen?

Answer. Yes, sir; I always tried to do right in every respect, and I never heard any complaint against me. I asked those who I thought were good friends of mine if they had ever heard any charge against me, and they said, "None in the world; but the least suspicion that can be brought against a northern man is unfortunately trumped up into something serious; it is bandied about from one to another among a certain class of gossipers until it is believed as a fact."

Question. Had you ever heard any complaint on the part of any democrat as to your political course? Had anybody ever objected to it, so far as you know?

Answer. They had never objected to it; only I would hear that some of these men when they got drunk would curse me for being a radical; that is all.

Question. You never heard it charged that you had done anything unfair or improper?

Answer. No, sir.

Question. And there was no just ground for charging you with any unfairness or impropriety in your business or political relations?

Answer. No, sir; I never heard of any such thing.

By Mr. COBURN:

Question. What has been the general effect upon the community of this species of violence—these whippings and other outrages?

Answer. They seem to be callous.

Question. What has been the effect upon the colored people?

Answer. It has had this effect, that they are afraid to go out of doors at night; colored men and white men both. You cannot find a man scarcely riding on the roads at night.

Question. What class of white men does it affect?

Answer. It affects all the colored men and such white men as have done anything that would endanger them.

Question. Do political questions have anything to do with it? Does it affect white democrats?

Answer. No, sir; I cannot say that it does.

Question. Have any persons left their homes in consequence of fear?

Answer. Yes, sir; there are men now that sleep away from their homes every night.

Question. How many?

Answer. I cannot say how many, but I know of a dozen men who are apprehensive of being attacked. I mean leading men. There is no danger generally to a simple work-hand who does not do anything to make himself prominent; but a man who is a kind of leader, who helps in organizing his party, or is a candidate for any office is in danger.

Question. Does it have any effect on business?

Answer. The merchants say it hurts business; it hurts their credit.

TESTIMONY TAKEN BY THE SUB-COMMITTEE.

SOUTH CAROLINA.

COLUMBIA, SOUTH CAROLINA, July 3, 1871.

WILLIAM BURNSIDE ANDERSON sworn and examined.

By the CHAIRMAN:

Question. In what county in this State do you live?

Answer. In Abbeville County.

Question. How long have you lived there?

Answer. Some three years.

Question. Where did you reside before you went there?

Answer. In Laurens, the adjoining county. I was raised there.

Question. Are you a native of this State?

Answer. Yes, sir; of Laurens County.

Question. Did you hold any official position in Abbeville?

Answer. None, sir; only I was appointed one of the managers of the boxes of the election.

Question. In what election?

Answer. The last election—last year.

Question. Go on and tell the committee, as briefly and as connectedly as you can, whether you have been visited there at any time by persons in disguise and violence inflicted upon you; if so, state the time and circumstances.

Answer. Eleven days after the election, at about 2 o'clock in the night, they came to my house.

Question. Who came?

Answer. Three of them, one black and two whites. I was very confident they were whites, and very confident that I knew them both. They came into my house and took me out of my bed. I tried to get away, and nearly got one man's pistol out of his hand, but for the other one. They gave me a cut on the head. I have the scar there now; you can see it. They took me out. My wife came out in the yard, but the yellow man got hold of her and took her away and stood over her with a knife. They then dragged me away about two hundred yards and put me down, and took out a cowhide and whipped me with the cowhide. Then they told me that if I did not leave the State within two weeks death would be my portion; that I was a radical and had turned against my own race and done everything I could against them in the election, and I should not stay there. After that I laid out in the woods four days and nights, until I got a chance on the cars, and then came down here to Columbia. From here I went on to Washington. Then I returned here. I was appointed assistant doorkeeper of the house here. In February I went up home again to see my family. At Hodge's depot two of these men, not in disguise, but in open daylight, cornered me on the platform and said if I didn't stop this prosecution against them they would have my life. I said, "How can I do it?" They said I had to do it or die. They kept me a while, and then said if I would sign a writing, purporting that I was mistaken and did not think it was them, they would spare my life there and then. Mr. Radeliffe then came around. I knew it would not be of any good. He said, "It'll not have any bearing, and if you don't do it you'll be killed." There were three men, two with drawn pistols, and the other they told to be ready, on the platform. Mr. James Cothran drew up this writing. I don't know exactly the purport of it, but it was to the amount that I was probably mistaken in the men. I had to sign it to save my life. I got away from them by doing that.

Question. Had you instituted a prosecution against these men?

Answer. Yes, sir; warrants had been got out and two of them arrested. One man, Connor, had been arrested in this place, and also Moore. They came on the platform and threatened my life. I had sworn that, to the best of my knowledge, they perpetrated the deed, and I'll do it again. One of them had on a doughface; the other had his face blackened. The yellow man was not in disguise. He came in with them. He gathered my wife in her chemise and stood over her with a drawn knife, threatening to kill her, until they had taken me clean off. That was on the first occasion. He stood and held her by the bosom, and with a drawn knife stood over her, telling her to hush or he would kill her; that if she alarmed the neighborhood he would have to kill her and the whole of us.

Question. Did they give any other reason for whipping you than you have mentioned?

Answer. Nothing only that I was a republican—that I had voted the republican ticket, and was a radical.

Question. Was it in consequence of this that you left that county?

Answer. Yes, sir. I had to leave my crop and everything, and I can't go back there. I have not been back since February, and I am now afraid to go back.

Question. For what reason?

Answer. I am afraid they will take my life. They can't touch anything in my character, except to say I am an honest, hard-working man.

Question. What is your occupation?

Answer. I am a farmer and a veterinary surgeon. I doctor horses occasionally. I made my living plowing and hoeing—farming.

Question. Do you know of any other persons being visited in the same manner?

Answer. Not particularly. I have heard of their being visited and coffins being put there; but I have no personal knowledge of it in that part of the district.

Question. Have you such information as enables you to say with reliance that the facts are so?

Answer. I cannot say that I have. I know others have been threatened. There are but very few white radicals. There's old man George Nichols and Keith Ingraham. I have heard from reliable sources of their putting a coffin down at Nichols's house and giving him warning that if he did not leave such would be done.

Question. Are men of both political parties afraid to express their political sentiments there?

Answer. I cannot say that they are altogether. I think they are in danger in doing it.

Question. Which party is in danger?

Answer. The republican party. I think they are not free altogether in expressing themselves.

Question. What means are used to deter them from expressing their sentiments?

Answer. It would be done the same as it was done to me, by taking them out in the night.

Question. Are those two cases the only instances in which you have actual knowledge of their proceedings?

Answer. The only two. I have heard of several others in other parts of the district, but I don't know them to be so. I live twenty-two miles from the village, and I have heard of three or four cases on the other side, but can't testify to them.

Question. Was any violence inflicted on your wife?

Answer. None, only catching her by the bosom and standing over her and jerking her around.

Question. How far were you taken from your house?

Answer. About two hundred yards.

Question. What did they do?

Answer. They stripped me and whipped me with a cowhide. They had only to raise my shirt. I had my drawers torn off before I got there.

Question. To what extent were you whipped?

Answer. They gave me forty or fifty lashes, judging by the scars; and they cut me over the head. I was as bloody as a butcher when they left me. They told me to get over the fence and leave. Just as I got over a pistol was fired off, but whether it was at me or a token to the others I don't know. They would not let me go by the road, but over the broom fence, and I fell into a gully seventeen feet deep.

Question. Were they disguised in any other way than with masks?

Answer. No, sir.

Question. What were their names?

Answer. Landon Connor; the other was John W. Moore, and this colored man calls himself John S. Moore. He is the one that came around and held my wife with a drawn knife.

Question. You spoke of a blackened man?

Answer. That was Connor. His face was blackened. The other man had on a dough-face, and the other is a mulatto.

Question. Who is Connor?

Answer. Connor is a son of Frank Connor, of Cokesbury, as nice a man as is in the world.

Question. What is his occupation?

Answer. He has a mill there, and a tan-yard and a store.

Question. What is the young man's occupation?

Answer. He has been farming for a year or two. He is a perfect rowdy—a drinking fellow.

Question. Who is John W. Moore?

Answer. Moore is only going to school. He has been doing nothing else. His mother is very well off, and a nice family—been considered so.

Question. Who is the yellow man?

Answer. He is farming, living on Mr. Jones's plantation.

Question. Was there any personal grudge or animosity between you and either of these men?

Answer. No, sir; there never had been any hard words between us.

Question. Had you never had any quarrel with them politically?

Answer. No, sir; none, nor with any other man.

Question. Were they all members of the democratic party?

Answer. Yes, sir. This yellow man voted the democratic or reform ticket.

Question. Was he of the family of the other Moore you spoke of?

Answer. No, sir; his father was a white man, but of a different family of Moores.

Question. You say you instituted a suit against those men?

Answer. Yes, sir. Those two men that very day when they cornered me on the platform, after I got away, went right down to Cokesbury and, in open daylight, shot down a colored man named Nash, killing him, and then they said they intended to murder another colored man and me that night. I had intended to go down that night. I did not go down. Beverley Vance had been threatening at the same time they killed Nash. Connor's father issued a warrant against them, but they were gone and could not be arrested, and have not been heard of since.

Question. I desire you to tell us in regard to this prosecution which you instituted.

Answer. These two white men and the colored man were arrested.

Question. What has become of the prosecution?

Answer. It is standing; but the two white men have left the country. The yellow man is there.

Question. Has there been a term of court since?

Answer. Yes, sir.

Question. Why was he not tried?

Answer. Because I dared not go up there.

Question. Was the bond of the other men forfeited?

Answer. Yes, sir.

Question. Why did you not go up there?

Answer. Because I was afraid for my life.

Question. Had your life been threatened?

Answer. Yes, sir; those two men threatened me on that platform when I signed that writing.

By Mr. VAN TRUMP:

Question. But you say they have left the country?

Answer. But there are others there.

By the CHAIRMAN:

Question. Did others make threats?

Answer. No others.

Question. Do you know whether or not the men who commit these offenses have others allied with them in an organization?

Answer. I do not know positively. I believe there is, but I cannot say it positively. I have every reason to believe there is an organization there, and has been, but I cannot say positively, because they did not let me into it. They knew my platform and would not let me into anything of the kind.

Question. Was there any complaint about the election where you were manager?

Answer. No, sir; I took in five hundred votes and swore every man that voted. Some sort of grumbled about having to swear, saying they never had to do it before, but there was no fuss or anything of the kind.

By Mr. VAN TRUMP:

Question. When was this transaction?

Answer. It was the last day of October or first day of November last. It was eleven days after the election. The election was October 19.

Question. How far did Moore and Connor live from you?

Answer. One lived about six miles and the other near eight.

Question. How far did the yellow man live from you?

Answer. Within a mile and a half.

Question. How far did each live from the other?

Answer. Moore and Connor lived about three miles and a half apart, and Connor and the colored man about three miles and a half apart, and from the colored man's to Moore's, I suppose it was six or seven miles.

Question. What time of night was it?

Answer. About two o'clock.

Question. What sort of a night?

Answer. It was a clear night—a pretty night.

Question. Was it moonlight?

Answer. No, sir. The moon had gone down.

Question. You had gone to bed ?

Answer. When they shoved down the door I was lying on the flat of my back.

Question. How do you know the black man was Moore ?

Answer. I knew the coat he had on, and knew his size and his motions.

Question. What peculiarity was there about the coat ?

Answer. It was a coat of a kind of snuff color that he used to wear a good deal fox-hunting.

Question. Did they come on horseback ?

Answer. I suppose so ; because we could see the place afterward where their horses were tied. There was the place on the limb where they reached up, but after I got up there was so much blood in my eyes, from the hacking me over the head, that I could not see.

Question. What do you mean by dough-face ?

Answer. That is a false face such as they have in these little stores. They put them on.

Question. How did you identify Moore ?

Answer. By his voice and size.

Question. Did Moore and Connor vote at the election where you were manager ?

Answer. Yes, sir.

Question. Did they say anything to you then ?

Answer. No, sir ; not a word.

Question. There was no trouble at all between you ?

Answer. No, sir ; never had been.

Question. Was the house where this occurred in the town or country ?

Answer. It was in the country.

Question. How near was your nearest neighbor ?

Answer. The widow Stacy lives within a hundred yards—a widow woman with no man about the house.

Question. How far was it to the next neighbor ?

Answer. There was a widow who lived about three-quarters of a mile off.

Question. Are they all widows around there ?

Answer. No, sir ; there's Mr. Jones, about a half a mile from there, and then Colonel Aiken, about a mile and a quarter down the road.

Question. The only reason they gave was that you were a radical ?

Answer. Yes, sir.

Question. Had you been a radical long ?

Answer. Yes, sir ; I have been a radical all the time.

Question. They never raised any difficulty with you until eleven days after the last election ?

Answer. No, sir. There was some year or two ago we had a little sort of a fuss, but it was not this.

Question. Is it not true that Abbeville County has been entirely clear of disturbances except what you have named ?

Answer. No, sir ; Randolph was killed.

Question. That was not by Ku-Klux, but on a railroad and in daylight.

Answer. That was in daylight, but they came and killed him, and got on their horses and went off.

Question. They were not disguised ?

Answer. No, sir.

Question. With that exception, has not the county been peaceful ?

Answer. No, sir ; I have heard of other disturbances, and on the other side of the district I have heard of them.

Question. What have you heard ?

Answer. I have heard of them interfering with others and taking some out and whipping them.

Question. How many instances can you give in that county ?

Answer. Some two or three.

Question. How do you know this yellow man was a democrat ?

Answer. He voted the reform ticket.

Question. Did many negroes vote that ticket ?

Answer. Some three or four, to the best of my recollection, did, where I was that day.

Question. Has there been a Loyal League in Abbeville county ?

Answer. I think so, but I have never belonged to no League, nor been in any League. I have heard it said that there was one.

Question. You say Moore and Connor, on the day they attacked you on the platform of the railroad, went somewhere and killed a negro ?

Answer. Yes, sir. Nash, the county commissioner in Cokesbury, about two miles from the depot.

Question. How came they to be arrested for the violence on you, instead of the greater violence on the negro ?

Answer. The violence on me was committed before.

Question. How long before?

Answer. It was either the last day of October or the first of November that they committed this depredation on me. The murder was in February.

Question. They had been arrested and were under bonds before?

Answer. Yes, sir.

Question. Then these two men ran off on account of the murder of the negro?

Answer. Yes, sir.

Question. And the yellow man is under bond now?

Answer. Yes, sir.

Question. Why are you afraid to go home when they are gone?

Answer. I am afraid I would be nipped up.

Question. Would be what?

Answer. Would be killed.

Question. Who would kill you?

Answer. I don't know; but a man who has been treated as I have been twice, coming near being killed, must be cautious.

Question. But it was by these three individuals only?

Answer. But I believe there were others.

Question. What reasons have you for thinking so?

Answer. I don't swear to it positively, because I don't know, but there are others they were very thick with and intimate.

Question. Name the others you are afraid of in that county.

Answer. I don't know who they would be. This thing is got up so we don't know who they are.

Question. You say you believe there is an organization in that county?

Answer. Yes, sir; I believe so.

Question. Do you mean Ku-Klux?

Answer. I don't know what it is. It does such as was done to me.

Question. What manifestations in that county lead you to believe that there is a general organization there of that order of men? Was it anything more than an attack on you?

Answer. I have told you they visited other places and put coffins there, and this thing and that thing.

Question. What are you doing now?

Answer. I am staying here in the asylum.

Question. Where is your family?

Answer. My family is up there at my father's.

Question. You are not afraid that your wife will be frightened?

Answer. No, sir.

Question. Yet she was attacked by this yellow man that night?

Answer. Yes, sir; to keep her from making a fuss.

Question. What are you doing here?

Answer. I am a manager at the asylum—one of the ward-masters.

Question. Your political friends have provided you a place here?

Answer. I don't know whether they have done it. To be sure they are republicans out there.

Question. Where is it?

Answer. It is here in Columbia, sir.

Question. Are you not staying here more because you have good employment than from fear of anything in Abbeville?

Answer. No, sir. I would rather be with my wife and children. It is fear.

Question. Is it fear of violence, or because you have a better place that you stay here?

Answer. It is fear.

Question. You have lived there three years?

Answer. Yes, sir. I moved right out of Laurens, where I was raised.

Question. There has been more or less excitement in Abbeville for three years?

Answer. Yes, sir; in Abbeville and other counties.

Question. Yet you have not been disturbed?

Answer. No, sir; only there was one little fuss. A man cursed me as a radical, and we liked to have got to fighting about it. That was nearly three years ago. It was directly after I moved over.

Question. You were voting the republican ticket all the time and were undisturbed?

Answer. Yes, sir.

Question. You were about as willing to quarrel with this man as he was to quarrel with you?

Answer. No, sir; he commenced cursing and abusing me.

Question. And you cursed him back?

Answer. No, sir; I talked back, but I can talk back without cursing

Question. You give it as your opinion that a man cannot safely utter his political sentiments in Abbeville County?

Answer. I say for a white man. I don't believe I would be safe there, nor to go through the county there.

Question. You said it was not safe for any republican to express his political sentiments in Abbeville County?

Answer. It was not at one time. It may be now. It was not directly after the election, nor until lately.

Question. Was it not the fact that political meetings were held by both political parties in that county?

Answer. Yes, sir; but I did not consider it altogether safe for a republican to get off by himself.

Question. But there have been several meetings?

Answer. It has been so said.

Question. Was a man stopped from uttering his sentiments, being a republican, on those occasions?

Answer. I do not know. I did not visit them.

Question. Is it not your old fear from this attack on you that still frightens you?

Answer. It was the attack on me and other things I had heard.

Question. If you know that no other man had been disturbed in three years in Abbeville County, when you left there, for expressing his political sentiments privately or on the stump, are not your fears groundless?

Answer. Not at the time I speak of; it was not groundless. It may be now.

Question. What time?

Answer. I spoke of the time directly after the election.

Question. Why do you speak of that time?

Answer. Because I had my life nearly taken more than once. Another man, Mr. Nichols, was threatened, and a coffin made for him and put in his yard, and he was told what would be the consequences if he did not leave; and he liked to have had a difficulty, but they did not really interfere with him.

Question. I understand that as you were going home from Columbia on a railroad train, when you got off of the train at Hodge's Depot you met Connor and Moore?

Answer. I was on the platform talking to some friends, and the first thing I knew they came right up to me.

Question. Had you a number of friends?

Answer. No, sir.

Question. Who were you talking to?

Answer. To one or two; my brother-in-law was one.

Question. Was there a pretty full train of passengers?

Answer. The passenger train had passed on. I was standing on the depot platform, not the car platform.

Question. How many people were there?

Answer. Several whites and blacks, but none interfered to assist me.

Question. No one did anything to stop these men?

Answer. Two of these men had drawn pistols, and the other was told to be prepared.

Question. Who was he?

Answer. I think they said his name was Lane.

Question. A white man?

Answer. Yes, sir. I never saw him before or since.

Question. Then on that occasion, in broad daylight, in the presence of several persons—of several of your friends—they compelled you, with drawn pistols, to sign a written paper, which was drawn up by Mr. Cottrhan?

Answer. Yes, sir. I signed it to save my life.

Question. That paper pledged you to stop the prosecution?

Answer. That pledged me to say that I was mistaken, or something to that purport; I cannot tell exactly.

Question. Mistaken in what?

Answer. Mistaken in the men who had whipped me. It was to stop the prosecution of them that they whipped me.

Question. You say that before that crowd they said they would kill you there?

Answer. Yes, sir, murder me right there.

Question. How many were there?

Answer. I suppose thirty or forty were around, white and colored.

Question. How many colored?

Answer. I cannot tell.

Question. What proportion?

Answer. They were pretty well divided, according to my recollection. I did not pay strict attention to that.

Question. Are the negroes generally republicans?

Answer. Yes, sir.

Question. Did anybody interfere to aid these men?

Answer. No, sir; Mr. Tom Ellis came to try to get them to hush. Mr. Radcliffe tried to get me to sign the paper.

Question. What is he?

Answer. The depot agent.

Question. What is his politics?

Answer. He is pretty neutral; I never heard him say.

Question. What was his reason for doing as he did?

Answer. He did not want me murdered, I suppose. Mr. Ellis saw the most of it, and Mr. Cothran. If it had not been for Mr. Ellis, Mr. Cothran, and Mr. Radcliffe, I believe I would have been murdered right there.

Question. Do you wish me to understand you that Ellis, Radcliffe, and Cothran advised you to sign that paper?

Answer. I do not know that Mr. Ellis did; he came in and tried to get them to stop; he stepped into the office and tried; these two men were in there with their pistols.

Question. Did these two men, Moore and Connor, claim that you were mistaken?

Answer. I don't know; they only said that if I didn't sign it, what they intended to do.

Question. What did your friends in Columbia advise you to do; did they advise you to stay here?

Answer. No, sir; some of them have told me they think it would be dangerous for me to go up there.

Question. Who told you that?

Answer. I don't know particularly; first one, and then another.

Question. Who is the principal of the lunatic asylum?

Answer. Dr. Ensor.

Question. Did he advise you so?

Answer. No, sir.

Question. Who did.

Answer. I can't tell exactly who. One and another, talking, said they would not like to go up there if in my place; that they considered it dangerous.

Question. How many have told you that?

Answer. I can't exactly tell you.

Question. Half a dozen?

Answer. I suppose so.

Question. Can you not recollect a single name?

Answer. No, sir.

Question. Can you not recollect the name of a single friend among the half dozen or more?

Answer. Yes, sir; I can recall Senator Owens; he considered it unsafe there.

Question. Where does he live?

Answer. In Laurens.

Question. How did he come to be here?

Answer. He was a member of the legislature, and since the breaking up of the legislature has been here.

Question. Is Senator Owens a leading republican senator?

Answer. Yes, sir.

Question. Who else can you recollect?

Answer. I cannot recollect just now the names. I don't want to go on and speak unless I am positive.

Question. You do not know any reason why this trial has not begun, except that you were not there as a witness?

Answer. I know of no other reason; and I don't know whether anything was done in it this last court or not.

Question. You have never inquired?

Answer. I have had no chance to inquire.

Question. Was nobody here all winter?

Answer. Court was only week before last.

Question. Was that the first court?

Answer. No, sir; there was a court before that, but they didn't make an appearance. That was directly after they met me on that platform.

By Mr. STEVENSON:

Question. When you speak of "district" you mean county?

Answer. Yes, sir, county; we used to call them districts.

Question. You spoke of the killing of Randolph; where was that?

Answer. That was at Hodge's Depot—the same depot, on the same platform.

Question. Did you know any of the men who did that?

Answer. No, sir.

Question. Did you know W. K. Tolbert at that time or since?

Answer. No, sir; I did not know either of the three men; I would not have known them then, and would not know them now if I met them.

Question. Were you born in that neighborhood?

Answer. I was born in Laurens, the adjoining county.

Question. How old are you?

Answer. Fifty-two years; I was born in 1820.

Question. Were you a farmer?

Answer. Yes, sir.

Question. Did you own land?

Answer. No, sir; rented; I ran off from there, and did not finish gathering my crop

COLUMBIA, SOUTH CAROLINA, July 3, 1871.

COMMODORE PERRY PRICE sworn and examined.

By the CHAIRMAN:

Question. Where do you live?

Answer. My native place is in Spartanburgh. I have been away from the 26th of last November until now.

Question. How old are you?

Answer. I will be fifty-three on the 6th day of next month.

Question. Were you born in Spartanburgh County?

Answer. Yes, sir.

Question. What is your occupation?

Answer. Farming by trade, before the war.

Question. In what portion of the county did you live?

Answer. Sixteen miles from the town of Spartanburgh.

Question. Were you visited at any time by men in disguise who inflicted violence upon you? If so, tell when it was, how many there were of them, and what they did and said.

Answer. Yes, sir. It was on the 26th of November, if my memory serves me aright.

Question. In what year?

Answer. In 1870; it was last fall.

Question. Go on and tell the whole story, without particular questions.

Answer. About midnight I was awakened by horses' feet tramping about the yard. About the time I awoke the order was given, "Close up, men, close up!" and about that time they ordered me to open the door. I rose up off the side of the bed, and didn't know what to do, and hesitated for a minute, and then I straightened up and stepped out on the floor. They commenced lammng the door and striking the shutter with something. I suppose from the marks left afterward that it was with the muzzle or butt of a musket. The shutter was made with just plain plank, with two strips across the back, and it burst off. It was pinned with an iron bolt, and they burst the front plank off next to the bolt, and the balance fell inside of the house. They arrested me at the orders—no, the order was, "Don't shoot in there; wait till he shoots." I told them I had nothing to shoot with. They ordered me out to the door. I advanced about half way. I had an iron poker about as broad as my two fingers and about as long as my arm, and as I started I concluded to take that. I thought then I would kill one of them if I could. I advanced to where I could see the door. It was starlight and about midnight. I saw there were six or seven right before the door, as close up to the door as they could get. There was a box had a parcel of cotton-seed in it. I just dropped the poker right down there, and went to the door that was opened, and as I went to the door two of them grabbed me, one by each hand. They were at the step—the rock for a step to come up into the house. They took me out, and as soon as they got me out tied a cloth over my face, and took me three or four steps from the door. In the yard I saw six or seven men, but I only had an instant to look at them. As soon as they had me fast they blindfolded me, as I said, and they left me in the possession of two of them. I could hear them coming up, and could hear the horses and the walking about the house. They left me there some time in the possession of these two, and the others went in and rummaged the house. They tore up this cotton, and they tore up some cloth. I had taken off my pantaloons before I went to bed, and hung them up. They got them. I had a little money in my pocket, and I heard one of them say, "Here's his money, the damned old son of a bitch." Another said, "Give that here; nothing shall be taken from here to-night." They rummaged the house as long as they wanted to, and then came out of doors, while the two still held me. They brought up the horses, and mounted, and the crowd put out. They took me half a mile or a little over. They went along talking to me some. They said they were Ku-Klux just from hell. They asked me if I didn't want to join them. I told them I knew nothing about them or about Ku-Klux. They said, "By God, we are Ku-Klux just from hell." I told

them to go back there if they wanted to; that I didn't want to go just that night. There was a good deal just like that. We got on the ground where they stopped to beat me. They got down, as I suppose, for they still had hold of me, and I was blindfolded all the time. They said first, "We are not going to do like the radicals; we are not going to do anything until we have a trial." They asked me what I had taught the negroes. I said, "I have never taught them anything." They asked what I had said to them. I said, "I don't recollect that I have ever said anything, without it was for all folks to work and make an honest living, and for every man in the community to live by his own labor, and be peaceable." They said I ought not to have said anything. They then asked me if I had an office. I said, "I have a constable's office." Another one from some portion of the crowd said, "Yes, God damn your old soul," and he struck me in the breast and knocked me down. I caught on my knees and on one hand. One of them, as I fell, had let my left hand loose, and I fell on it. The one that struck me said, "Don't you intend to obey law nor order?" Says he, "If you are going to kill the man, kill him." That stopped the affray among them. That blow knocked the breath out of me when he struck me in the breast, but it was not long, only three or four breaths, and I came to. Then they pulled me up, and one came and ordered me to pull off my shirt. I would not do it. I don't know whether it was him or another one ran at me. I had on such a shirt as I have on now—a common coarse shirt. He ran at me, and caught me right by the collar, and tore it open, and split the shirt clean to the tail, stripping off everything. My shoes and drawers I had on. Then they jerked me down on my face, and called for "Number one." He came and struck his lick; then for "Number two," and he struck two licks; then three, and he struck three licks; and number four striking four licks, &c., each one striking his licks according to his number.

Question. Striking with what?

Answer. With brush, a hickory, a whip.

Question. Where did they strike you?

Answer. All the way from the hams to the back of the neck. Each struck his number. Number one struck one; number two struck two, and so on till they got to number ten. Then they called for number twenty. He came with a whip. I could not see it, but I could hear it crack. I can show you a little item of the gashes they left on me [baring his arm] from my elbow down. That was split open with a whip thong.

Question. How long is the large scar on your left lower arm?

Answer. Four inches long at least—more than that. He struck me six or seven licks with that whip that split the hide, and some man in the crowd ordered him not to strike so hard. Then the balance of the whipping was whipped out of the balance of his number, twenty, and it come chiefly on this left arm, for the arm was close to this side, and the licks of the whip cut my side some, but not very much. When they got done beating me, I was just like a log or a stump. I had no feeling at all. They beat me until I could not tell the hurt when they beat me. When they got done they raised me up and some of them slipped my gallowses back on my shoulders. They asked me then if I would vote the democratic ticket. I told them, "I don't know that I will ever vote any more at all." They ordered me then to double-quick. Said I, "I cannot double-quick. You know it." They said, "Try." They told me to go home. I said, "I don't know which way to go. How can I go home, coming here blindfolded, and the blindfold still on me?" Two of them took me by each arm and went back forty or fifty yards from the whipping-ground and took off the blindfold and gave me a push, and one of them started with that, and it appeared to me that they gave me a shove, and as they pulled off the cloth said, "God damn you, if you look back I'll shoot you down." As soon as they took off the cloth I knew the road and the fence—I almost knew the saplings, you might say, and I went on home.

Question. Were those men armed?

Answer. Yes, sir.

Question. How were those that you saw armed, and how many were there?

Answer. I could not tell how many there were. They were all around the house. The house had two doors. There is the ridge road and they left spies off at two places where they turned to come to the house. I saw afterward that they had been at different places, at the stables and around; I saw the places for spies. I saw there were six or seven at that front door, but after that first look I can't tell you for I was blindfolded. As well as I could see for the little time I had, they had on a dark colored something that fitted around them something like a lady's dress and came down about the knee, and it was belted around and looked like it had a scabbard for a repeater. I had but an instant to look. They all had belts. They had things fitted on their heads, scolloped out, that came down just like a hat, but had no brim; it was scolloped out and that part was painted red, as I could see in the night, but whether the balance of it was green or red I could not tell, for it came down to the neck. Then they were covered around the bulk, as I said.

Question. Did you observe any other arms except their repeaters?

Answer. Nothing only the gun they knocked me down with. It was a United States

cavalry gun with a barrel about two feet long, and it was split off right were the breech fastens. It looked like it had been struck against something and the breech burst off, and it was left lying on the ground.

Question. Was it a repeater?

Answer. No, sir, a carbine.

Question. Do you know who those men were?

Answer. I am pretty well satisfied.

Question. Tell us who you believe they were.

Answer. I believe one of them was a man named George Turner.

Question. Where does he live?

Answer. He lives about three or four miles below me, on Thicketty Creek.

Question. What is he?

Answer. A farmer.

Question. Who else?

Answer. Another, I believe, was Clayton Camp. Another is one of Green Humphries' sons; I don't know his given name.

Question. Can you name any others?

Answer. There is not another one that I thought I knew.

Question. You say Turner is a farmer who lives three or four miles from you?

Answer. Yes, sir.

Question. What is Clayton Camp?

Answer. A farmer.

Question. How far from you does he live?

Answer. About the same distance.

Question. Does he own the farm he lives on?

Answer. No, sir. He is a young man. Both are young men. They are both living with their parents.

Question. Are they sons of the owners of the land?

Answer. Yes, sir. The mother of Turner is living on eight hundred acres of land that is willed to her for her lifetime. Mr. Camp, the father of this Clayton Camp, is living on his son-in-law's land.

Question. Who is Green Humphries?

Answer. He is a farmer.

Question. How far does he live from you?

Answer. It is five miles, I reckon.

Question. Does he own the land he lives on?

Answer. Green Humphries does, but his son that was there does not own any land.

Question. Those three you believe you recognized?

Answer. Yes, sir.

Question. Did you take any steps to have them prosecuted?

Answer. No, sir.

Question. Why not?

Answer. Because I did not think it worth while in that section of the country at that time.

Question. Why did you come to that conclusion?

Answer. I thought that party had set the law at defiance in that section of country.

Question. What did you mean by "that party?"

Answer. You might call it the Ku-Klux party or democratic party, I don't know which. I believe all democrats pretty much all concur.

Question. Did they give to you any other reason than that you have mentioned for whipping you?

Answer. Well, just before the State election came, I forget how many days, but three or four days, on Sunday night they made a raid right in the same settlement. That night they caught five persons; one they shot but did not kill him, and four they whipped. I saw them after they were whipped. When this affray took place, they sent one young man to me, and got me to go to Spartanburgh, to Mr. Poinier, the United States commissioner, to know what could be done. We went and this young man reported to him what had happened. He did not tell him he knew it, but only from what the ones whipped had told him, and wanted him to come down and see. I lived in the settlement where this happened, and was a constable, and Mr. Poinier pitched on me to go with him. He made up his crowd, and we went down there. It was in my old neighborhood and settlement, and I knew all the country—I may say nearly every hollow and hog-path around in the country. They had another man to execute the warrant. I just went as a pilot for this gentleman, Mr. Moon. When we got down there those that were whipped swore to a portion of those who whipped them, and I had to pilot Mr. Moon over the country, for he was an entire stranger. He made some three or four arrests, I forget which, for it has been a good while ago, and we collected at Squire Peter Camp's—a trial justice.

Question. Are you giving this as a reason that led to your whipping? if so, go on with your statement.

Answer. We went in like it was last night at dark, and the next morning we made the arrests. The next day the news came—I was not there then—they were making up a crowd in that neighborhood to take the prisoners away from them, and kill out the party that were there arresting. When I and Mr. Moon got back at sundown, Mr. Camp's family were there in a wagon, ready to leave, and did leave the place.

Question. Why?

Answer. Because I was with Mr. Moon. On another occasion previous to this, I had myself made eight or ten arrests for whipping men seven or eight miles below, and I think that this party that whipped me had that laid up for me, for they told these men that they whipped on the Sunday night, or Tuesday or Wednesday, that they intended to have me.

Question. Did they say anything to you while they had you in their custody to show that your previous connection with these arrests had anything to do with your being whipped?

Answer. Nothing more than that they asked me that night when did I see Frank Camp. I said I saw him to-day, about 12 o'clock. Then he said, "God damn him and Casey, and Poinier and Fleming." You see Casey was a United States deputy marshal, and Mr. Camp was a trial justice and county auditor, and Mr. Fleming was a trial justice, too. It was before him that they had taken these men before this time. I think that was the cause of their whipping me from what they told these men they had on Sunday night before the election, and what they said to me that day about Camp and McGill Fleming and Casey.

Question. To the best of your knowledge and observation that night, how many persons do you believe were there at your house?

Answer. Down next door to me, Major Lee Lindley supposed there were twenty or thirty.

Question. Did he see them?

Answer. Yes, sir. His negro house was there, and he saw them pass by. He told me, and he said he supposed there were twenty or thirty.

Question. Were there numerous cases of whipping of this character in that part of the county around you?

Answer. Yes, sir.

Question. Were there any killed?

Answer. Yes, sir, Rufus Erwin was shot. The night they took Mr. Champion out of his house, Rufus Erwin was there, and when they went there, they ordered Mr. Champion to make a light. I did not see them beat him, but I saw him afterwards, after he was beaten.

Question. Who was Mr. Champion?

Answer. He had been a magistrate the year before, but was out of office then.

Question. How far did he live from you?

Answer. About five miles. As Mr. Erwin raised on the bed, he said, "If you will stop shooting I will build you a light," and one then shot, and took him right under the point of the collar-bone. My brother cut the bullet out.

Question. Did it kill him?

Answer. No, sir.

Question. What has been the result of these proceedings in that part of Spartanburgh County; do the people feel alarmed?

Answer. Yes, sir, they have been lying out in the woods during the nights, all winter. Those who claimed to belong to the republican party laid out in the woods pretty much through the whole winter, and I expect a portion of them are doing so yet.

Question. What are they afraid of?

Answer. They are afraid of the Ku-Klux.

Question. Did they make any threats?

Answer. Yes, sir, they intended to whip the whole of them out.

Question. Were you a republican?

Answer. Yes, sir.

Question. Had you taken any prominent part in politics?

Answer. I suppose I had. I was always opposed to the war. I can give you a little history of that, if you want it.

Question. What do you mean by opposed to the war?

Answer. Opposed to secession; I never would take any hand in the war except as they forced me to; I was in the war twice; once I was conscripted, and the other time drafted; I served out ninety days at one time, and at another time I was put in for five months, but was sick and did not go for nearly two months; it was the last of the war; the stout young men detailed were sent to the front by order of the confederate congress, and their vacancies were to be filled by men over forty-five; I was over age, and only belonged to the State reserve, and as soon as I got a chance I got detailed and staid out until the war closed; the secession party was very numerous in that part of the country, and they have always had a pique at me since.

Question. Have you ever held any other office than constable?

Answer. Yes, sir; I have been county assessor.

Question. When?

Answer. Two years last fall and fall before.

Question. Had you any personal quarrel with anyone in the neighborhood by which you could account for such a proceeding against you?

Answer. No, sir.

Question. Had you been engaged in anything more than your ordinary avocations and discharging your duties as assessor and constable?

Answer. Nothing that I know of.

Question. What is the feeling of the people there now in regard to security?

Answer. I have not been there since last November, but I see friends coming from there since I left there; I saw some since I left, about the 1st of December; friends pass to and fro, and they tell me; I can only tell you what they have told me; they say that since the troops went there, in and about the village, times have somewhat calmed down to what they were, and I suppose since the Bates scrape took place.

Question. What is that?

Answer. Frank Bates killed one of the Ku-Klux about two weeks ago; since that time it has quieted down a good deal.

Question. You left in November?

Answer. It was about the last of November or the first of December.

Question. Why did you leave?

Answer. Why? Because they told me that night when they got done whipping me, I could go to Columbia or where I pleased. As soon as I was up and the news reached town, a party was made up—

By Mr. VAN TRUMP:

Question. What town?

Answer. Spartanburgh Village. As soon as I got able to ride, I went up to Spartanburgh Village, and a portion of my friends advised me to come down here and report to the governor and to the legislature; it was in session then; that was on the 1st of December; I at first did not want to do it, but they kept insisting upon it, so I concluded to come; I came down here, and when I came down forthwith they reported me to the committee of the house on ways and means or means and ways, and the chairman of the committee told me I should stay here a while; I had a son-in-law, you will recollect, living on the same place where I lived. Directly after I left there the order was extended to him; I cannot tell you how, but the news reached him that if he was not away from there in such a length of time, he should share the same fate that I had fared, or worse.

By the CHAIRMAN:

Question. An order from the Ku-Klux?

Answer. Yes, sir. My daughter writes me that he was ordered away from that place, or that he must take my fate. I was still not discharged from this place and could not go back, so he concluded to move twelve miles up on the North Carolina line and on the North Carolina side of the line. He went there and leased a place, as he tells me, though I did not see it, but he is here to answer for himself if you choose to ask him. As soon as he did that the Ku-Klux put in to him that he must join them. He told them he would not do it. This is what he tells me—I do not know this myself—they made several meetings with him; they were several times together—one and another party around there in that neighborhood where he was building his house. He refused, and refused all the time, he says, until at last they concluded, he thinks, just to get a fuss up with him; they fetched one that claimed to be a captain, drunk, to his house and left him there, and he stays there I do not know how long; but still remains drunk until they gathered in. He came in from his work—and maybe his family gathered in—I do not know how it was—I do not know that he told me exactly; but any way, the fellow was there drunk, and he was lying there on the floor of the house, and he rose up and looked about and commenced cursing and ripping and charging—

Question. What is your son-in-law's name?

Answer. Henry Henderson. You asked me why he remained here. I was going to tell you—they told him he must join them, for four men in particular they had in view—three to whip and me to kill, and that he must join them for a certain reason; that they would not kill me right there, but they would let the party just over in North Carolina know, and as soon as I got there he was to join them and let them know and they would send a party from North Carolina to kill me.

By Mr. VAN TRUMP:

Question. Did they know that Henderson was your son-in-law?

Answer. Yes, sir.

By the CHAIRMAN:

Question. Are you afraid of being killed if you go back?

Answer. Yes. My daughter turned right around and wrote me not to come home, for it was set on foot to take my life as soon as I landed. I told a few individuals of that and they advised me to remain away until times got better.

Question. Are you apprehensive of losing your life if you return?

Answer. I have no doubt in the world they would take my life just as soon as they could get to me.

Question. Have you any knowledge of the manner in which this Ku-Klux organization is formed?

Answer. What do you mean?

Question. Is it organized, and what is its purpose if it is organized?

Answer. I think it is organized to prevent the civil law of the State government from being executed. I think so from steps that have been taken by parties who are carrying it out.

Question. Is that a mere matter of opinion with you, or have you any knowledge derived from what they told you?

Answer. I have heard several of them say they would die before they would live under the present law.

By Mr. VAN TRUMP:

Question. Who are they?

Answer. I mean the democratic party.

Question. You do not say they are the Ku-Klux?

Answer. No, sir; I do not say they do or do not.

By the CHAIRMAN:

Question. My question is to ascertain if you know whether there is or is not an organization called the Ku-Klux.

Answer. There is one man who has run away from there who told me last fall in a conversation—we were differing in politics when we met on the road one day—recollect that at the start he didn't tell me that he belonged to the organization at all; but we met on the road; both were going in the same direction, and this was one thing we talked about—the present form of things in the country, and the way it stood at that hour—and he told me he had seen a portion of their by-law and had read it, and that they were determined never to submit to the present organization of the government.

Question. What government, State or National?

Answer. I think both.

Question. Who was he?

Answer. That was O. P. McArthur.

Question. Where is he now?

Answer. I do not know; I expect he is in Arkansas.

Question. Why did he leave?

Answer. He was censured for being one of the men who was in this raid that whipped these five persons, Mr. Champion, Mr. Erwin, and these three colored persons on that Sunday night previous to the election; he was sworn to; he was one of the party arrested.

Question. Was he charged with this upon oath?

Answer. Yes, sir.

Question. Was it after that charge was made that he left?

Answer. Yes, sir.

Question. Was it before the trial in court?

Answer. I don't know how that was arranged. I was with Mr. Moon that day. He was one of the party that was arrested; McArthur was one of the party that was taken by this crowd.

Question. Was he bound over?

Answer. I cannot tell you how that was arranged; you see it was broken up that night and they were let loose on a promise to meet at Spartanburgh two or three or four days after that time, but not to be bound over; but how that was arranged I cannot tell you.

Question. You do not know whether they were actually bound over, or were to meet there to be bound over?

Answer. They were to meet to be bound over.

Question. Did he leave before being bound over?

Answer. No, sir; he came down on the day I left Spartanburgh to come down here.

Question. Was he ever tried in court for that offense?

Answer. No, sir; I think not.

Question. Do you know any other persons in that neighborhood whom you have ground to believe are members of that organization except these three whom you recognized that night when they whipped you?

Answer. Well, sir, I don't want to talk about the things except as I exactly know. I suppose you are going to leave here soon for Spartanburgh; I would like splendid

well to have a day or two ahead of you, just to see what sort of proof I could make on that point. I would like it splendid well. That is a large county and they are spread all over it pretty much.

Question. Have you any doubt about the existence of this organization in that county?

Answer. I have not.

Question. Can you give us any reliable information to enable us to know who are the members of such an organization if it exists?

Answer. I don't wish to say; I think I know some things, but I would know it better, or if I wouldn't know it better I could bring it out I think more fully, so that everybody could see more into it, if I was there and just had time to call the witnesses.

Question. Have you any reluctance to giving that information here so as to enable us to investigate it?

Answer. No, sir.

Question. That is what we want.

Answer. There are some men out here now who are going to try to assist you in getting it.

By Mr. VAN TRUMP:

Question. Out where?

Answer. Out here on the hill; we have been talking about it this morning.

By the CHAIRMAN:

Question. You mean at the capital, Columbia?

Answer. Yes, sir.

Question. So far as you know, have any persons been visited or whipped by this organization for political purposes, or have the charges been that these persons were guilty themselves of offenses, and were whipped on other grounds?

Answer. I do not know; but I don't believe that there has been any man whipped or shot but what there was a charge made against him by them of something else besides being a republican; if there is, I don't recollect of hearing it.

Question. Do you mean that these charges were made in good faith or made as a mere pretext?

Answer. That is the view I take of it, a pretext.

By Mr. VAN TRUMP:

Question. Do you mean that in every instance they are false?

Answer. Yes, sir, about that. I don't say, at the same time, that all republicans are honest, just, and true men; but I think that that is a thing put up. There is Colonel Bates, who killed one about two weeks ago, and there was Dr. Winsmith—there were five or seven bullets shot into him.

By the CHAIRMAN:

Question. Have you known of any instances in which men belonging to the democratic party, and who have been guilty of violations of law or offenses of any kind, who have been visited by the Ku-Klux and violence offered to them?

Answer. None, of my own knowledge.

Question. Have all cases in that county been against republicans, white or colored?

Answer. Yes, sir. But, recollect, I have not been in the county lately.

Question. Is that one reason you give for believing this organization is political in its character?

Answer. Yes, sir.

Question. Have there been any cases in the county, so far as you know, in which the persons who committed these acts of violence have been punished for them?

Answer. I don't think there have.

By Mr. VAN TRUMP:

Question. Have they been found out, other than those four you mention who were arrested?

Answer. Yes, sir; they have been sworn to.

By the CHAIRMAN:

Question. You say you know those three men, Turner, Camp, and Green Humphries' son; what was the reason you did not prosecute them?

Answer. The thing stood there in such a form, at that time, that it didn't appear like the law was worth a copper, because I had arrested seven or eight in one case where they shot people—two women and a little child, and where they whipped two or three more persons. They stood up and swore to them: "You are the very man; I have known you ever since you were a boy." They said it face to face to them, and 'Squire Camp would not try the case, but turned it over to the court, and when it got to the court it was just thrown away.

Question. What do you mean by being thrown away ?

Answer. It was just thrown out.

Question. By the grand jury ?

Answer. I don't know whether it was by the grand jury or by a discharge.

Question. Was it before Judge Orr ?

Answer. No, sir ; it was before Judge Vernon.

Question. Was that the only case you know of where there was a prosecution ?

Answer. That was the only one where they used this phrase of fighting and killing. This was tried before the election, or they were bound over.

Question. Do you own the land you live on ?

Answer. I didn't have a deed to it, but I have been on it for fifteen years. It belonged to my father. He told me to go on it in his lifetime, and, if I paid so much money, he would make me a deed to it. I have paid part of the money ; a part is not paid.

Question. How many acres are there in it ?

Answer. One hundred acres.

By Mr. VAN TRUMP :

Question. I understand you to say that some of these men found some money on your person ?

Answer. They found it in my pantaloons pocket, in the house.

Question. Did they take it ?

Answer. No, sir. When they said "here's his money," one of the men called out, "Nothing will be taken from here to-night." My wife says that as soon as they put her to bed they blindfolded her, and this man put that money into her hand, and told her to keep it.

Question. You say that in the room where these men came you had some seed cotton, and you threw the poker in there ?

Answer. Yes, sir.

Question. You say they commenced to tear that seed cotton to pieces ?

Answer. Yes, sir.

Question. What was their object ?

Answer. Hunting, I suppose, for arms and pistols.

Question. Why did not you state that before ?

Answer. I didn't recollect it just then.

Question. Was it a fact that they searched for arms ?

Answer. Yes, sir. She said that they rummaged the beds and turned them upside down, even the bed she was in ; they pushed over both the straw and feather beds.

Question. Had you raised any cotton that season ?

Answer. Yes, sir ; a small patch.

Question. Did they claim that you had cotton there which did not belong to you ?

Answer. No, sir ; nothing of the sort.

Question. There is such a thing as stealing what they call seed cotton ?

Answer. Yes, sir.

Question. Mostly by the negroes ?

Answer. I suppose so.

Question. It is sold to the country stores ?

Answer. Yes, sir.

Question. Is that done all through the country—cotton taken from the patches with the seed in the cotton, taken by parties who ought not to have taken it, and sold to the country stores ?

Answer. Yes, sir.

By Mr. STEVENSON :

Question. All unginmed cotton is seed cotton ?

Answer. Yes, sir.

By Mr. VAN TRUMP :

Question. They did not charge you with anything of the sort ?

Answer. No, sir ; not a word.

Question. What seemed to be their objection was that you were a republican ?

Answer. Yes, sir.

Question. And that you were a constable under the State authorities ?

Answer. Yes, sir.

Question. Did they say anything to you about their objections to your being active in arresting these parties on that previous occasion ?

Answer. No, sir ; they didn't mention it.

Question. That was not on their minds ?

Answer. I don't know what was on their minds. They said they were not going to do like the radicals ; they were not going to do anything until they had a trial.

Question. What did they mean ?

Answer. I don't know. That was when they got me to the whipping-ground where they were to whip me.

Question. Was that what you understood by that expression?

Answer. Yes, sir.

Question. Your interpretation is that they did not intend to do anything until they got to the whipping place?

Answer. Right there was where they said it.

Question. What did they mean by saying that they were not going to do like the radicals?

Answer. I don't know. They asked me what I had taught the negroes. I told them I did not teach them anything I knew of.

Question. You had not been a school teacher of negroes?

Answer. No, sir; not at all. They asked me what I had said to them. I said if ever I have said anything to them it was to be honest and work and make a living; every-one living by his own labor; and be honest and quiet. They said I oughtn't to have said anything.

Question. There were five or six at the door?

Answer. Yes, sir.

Question. Were they all dressed alike?

Answer. No, sir; not the head-dress.

Question. Were they all disguised?

Answer. I do not know; I only saw six or seven at the door.

Question. How did you ascertain that one was Turner?

Answer. I ascertained it by his shape and voice.

Question. Has George Turner a very peculiar shape?

Answer. He is a little, low, chunky fellow.

Question. Are there not a good many low, chunky fellows in that neighborhood?

Answer. Yes, sir.

Question. Is that all?

Answer. There are some other particulars I want to bring —

Question. We want them now.

Answer. I can't give you any more now.

Question. Your conclusion is that it was his size and shape?

Answer. Yes, sir; and his voice.

Question. Did he speak?

Answer. Yes, sir.

Question. I thought you said that only the captain spoke; do you say that there was promiscuous speaking?

Answer. Yes, sir; he talked with the balance.

Question. If I understand you, all the evidence to your mind that George Turner was there is, that there was a man of about his size and his general shape and with a voice something like George Turner's.

Answer. Yes, sir.

Question. Did you address him as Turner?

Answer. I never made any address to any of them.

Question. You spoke to them?

Answer. I spoke the words I told you.

Question. What made you think that one was Clayton Camp; did he speak to you?

Answer. One of them asked me if I had any office; I told them I was a constable. "God damn your soul," he said, and, whang, he came at me, and I believe that was Clayton Camp.

Question. Why did you think so?

Answer. Because he talked just like him; I am very well acquainted with him; I know much-what of his stature in every respect; he is hump-shouldered.

Question. Was this man hump-shouldered?

Answer. Yes, sir; he is not very hump-shouldered.

Question. Was this man you suppose was Clayton Camp hump-shouldered in about the same degree?

Answer. Yes, sir.

Question. What made you think one was Green Humphries' son.

Answer. Humphries was a thrasher. He has a traveling thrasher through the country, and when they had me in the yard at the house, before they started with me, and had me blindfolded, he came right up to me in front, with a plaited raw-hide whip, and he said, "Do you see this, God damn your old soul?" and I saw the whip, and I believe it was his whip, and it was him that had it.

Question. Did you know that whip?

Answer. I believe it was him and his whip; a young, slim-looking man; I believe it was him; I couldn't point-blank identify him.

Question. You say the reason you did not prosecute these men whom you believed were part of that party was, because nothing could be done with them?

Answer. Yes, sir.

Question. Because the case would be dismissed?

Answer. Yes, sir.

Question. Why did you not go to the United States commissioner?

Answer. I came here to the authorities when I reported here to the legislature; these gentlemen on the committee and other gentlemen that I talked with, said it had better be let alone to see whether the Government would not take hold of it and do something with it. As to the district I came from, I don't know what has been done.

Question. You say the man who had this whip was, you believe, young Humphries; was he the man who whipped you with the whip as "Number twenty?"

Answer. I do.

Question. Did he say anything else?

Answer. No, sir.

Question. You say the captain called out their numbers?

Answer. Yes, sir; I suppose so. I don't know who called the numbers.

Question. Did the same voice call all the numbers?

Answer. Yes, sir.

Question. Did they go all through the numbers until they got to ten?

Answer. Yes, sir.

Question. And each one gave the number of lashes that his number indicated?

Answer. Yes, sir.

Question. Ten gave you ten lashes?

Answer. Yes, sir.

Question. And then they skipped to twenty?

Answer. Yes, sir.

Question. And that was the man with the whip?

Answer. Yes, sir.

Question. Was he the only man with the whip?

Answer. Yes, sir; the only one.

Question. How many times did he strike you with the whip?

Answer. I don't know; I reckon twenty; that was his number. I didn't count them.

Question. Have you forgotten that in answer to the chairman you said he struck you five or six times—

Answer. Five or six times he struck me, and split my hide all to pieces, and another man told him he shouldn't strike so hard.

Question. Why are there not more scars than the one you have shown?

Answer. Do you want to see more? Your eyes shall convince you.

Question. I did not ask you to show them, but asked you if there are more scars.

Answer. I can't see on my back, but they tell me there are lots of them there.

Question. That is all I want to ask as to that.

By Mr. STEVENSON:

Question. Go on and show them; I ask it.

[The witness here removed his shirt, exposing the upper half of his person.]

Mr. STEVENSON. There is one scar reaching from nearly the middle of the arm to the center of the back, and another from the center of the back to right side; there are four such scars across the back.

The WITNESS. And it's so clean down to my hams; down here.

Question. Do you mean down to your knees?

Answer. Yes, sir; just the same, all the way.

By Mr. VAN TRUMP:

Question. You say your son-in-law moved off over the line into North Carolina, from fear of these parties?

Answer. Yes, sir.

Question. Did he know at that time that there were probably as many Ku-Klux in that neighborhood as where he had lived?

Answer. I don't know whether he knew it or not when he started, but he soon found it out when he got there.

Question. He found it out in the way you have described as related by him to you?

Answer. Yes, sir; he also had to leave the place he had moved to when he moved off from my place, and he went down to Spartanburgh. He didn't stay there but a little, for they made him move away and come down here.

Question. Is his family here?

Answer. Yes, sir.

Question. Where is your family?

Answer. At home, on the plantation.

Question. Has anybody disturbed your wife?

Answer. Not that I have heard of.

Question. You have been here ever since?

Answer. Yes, sir.

Question. What have you been engaged in?

Answer. I have been doing some little jobs of work; I have done up some for Mr. Turner; I helped him put up five wagon-wheels.

Question. Has anybody supplied you with means to stay here without labor?

Answer. No, sir; I came last fall, as I have said; the legislature gave me a little post.

Question. What was it?

Answer. To stay around this place; it was threatened with Ku-Klux.

Question. You say a post; you mean an employment—an office?

Answer. Yes, sir.

Question. What was it?

Answer. To knock around the place.

Question. Where?

Answer. Around the capitol building and at it.

Question. What were you doing?

Answer. I didn't do anything except to go to the committee-room and back and forth.

Question. What did they give you?

Answer. Two dollars and a half a day.

Question. Two dollars and a half a day for doing nothing?

Answer. Yes, sir. As it turned out, it was for nothing, but if the Ku-Klux had come in, it wouldn't have been for nothing.

Question. Are you still under pay?

Answer. No, sir.

Question. How long did that last?

Answer. I reckon it lasted from about the first of December until about the last of February or first of March.

Question. Then you were supplied by the committee with two dollars and a half a day from the time you came here until the breaking up of the legislature?

Answer. Yes, sir.

Question. And that committee advised you to stay here?

Answer. Yes, sir.

Question. What arrangement has been made since then for you?

Answer. Nothing at all.

By Mr. STEVENSON:

Question. What is your age?

Answer. I will be fifty-three, I reckon, on the 9th of August, if they kept a straight account of it.

Question. Were you born in South Carolina?

Answer. Yes, sir; in that county, Spartanburgh.

COLUMBIA, SOUTH CAROLINA, July 3, 1871.

HENRY HENDERSON sworn and examined.

By the CHAIRMAN:

Question. Where do you live?

Answer. Right down here, at Mr. Frazer's, in this city.

Question. When did you come to this city?

Answer. I have been here about four months. I don't know exactly the day I came here.

Question. Where did you live before you came to this city?

Answer. In Spartanburgh County, or District.

Question. Were you visited at any time by persons who represented themselves to be members of the Ku-Klux organization, and if so, state all that was said, and whether that influenced you in bringing you here?

Answer. Yes, sir. I went up to my father's at one time, I don't know exactly the time, and there was a young fellow lived right close there said for me to go up there—

Question. Where did your father live?

Answer. In Rutherford County, North Carolina. My father had gone on home. He said Mr. Pree wanted to see me up there. I jumped on my mule and went up there. When I got almost to his house, there sat, down below his house, by the fence, three or four different men. They asked me to get down. They had their list and everything. One said he was the captain, and he wanted me to put my name on the list, so that I would be insured, you know. I told him I would not do it.

Question. How "insured?"

Answer. To keep them from beating me up. They had run me from my father-in-law's. I had gone to my father's, and started to building my house and commenced moving things; and because I would not join them they were going to put me through.

Question. Who was this man?

Answer. Price.

Question. Did Price tell you what it was that they wanted you to join?

Answer. Ke said it was the Ku-Klux party; and there was a list, and he read it over to me.

Question. That was not Mr. C. P. Price who testified here this morning?

Answer. No, sir. The Mr. Price that just went out of the room is my father-in-law.

Question. Who was this Price of whom you were speaking?

Answer. He was some relation to my father-in-law.

By Mr. VAN TRUMP:

Question. What was his name?

Answer. Skip Price; my wife's cousin.

By the CHAIRMAN:

Question. What is his full name?

Answer. That is his full name—Skip Price.

Question. You say that he told you that was a Ku-Klux organization?

Answer. Yes, sir.

Question. And that he read their names?

Answer. Yes, sir.

Question. What names did he read?

Answer. I do not remember but five.

Question. Give us those five names.

Answer. First, Skip Price—he was one of the five; Esau Price; Thad. Splawn.

Question. Is his full name Thaddeus?

Answer. Yes, sir; and Stephen Splawn, and Earle Smith.

Question. Where do those men live?

Answer. Three live in Rutherford County, North Carolina—Skip and Thad. Price and Steve Splawn.

Question. What is their post office?

Answer. Rutherfordton is the nearest town. It is about fifteen miles from Rutherfordton and about eighteen or nineteen miles from Spartanburgh. Esau Price and Earle Smith live in Spartanburgh County, South Carolina.

Question. Are there townships in those counties?

Answer. Yes, sir.

Question. In what township do they live?

Answer. Whiteplains Township, in Spartanburgh County.

Question. In what townships do the others live?

Answer. I do not know whether it is laid off in townships or not.

Question. What is the nearest post office?

Answer. I don't believe I know.

Question. Go on and state what he said.

Answer. He read over more than five names, but I don't remember more than five.

Question. What occurred and what was said?

Answer. He wanted me to join them and to help them to beat out the men.

Question. What men?

Answer. The party—the republican party.

Question. Did he say that?

Answer. Yes; he said that. And he picked out four different men that he wanted me to help beat up, and to kill one.

Question. Name them.

Answer. He wanted me to help beat up old Johnnie Nodine—to whip him; and Tom Westbrook—they were going to whip him; and my father-in-law, who just went out of here—they were going to kill him whenever he put his foot in Spartanburgh, and they wanted me to help do it, because, they said, "he was nothing else but a God-damned old negro traitor." That was Commodore Perry Price. The other man I can't remember. He was to be whipped.

Question. Go on with your statement.

Answer. I believe that is about all I know about it that is of any consequence.

Question. For what purpose did they want you to join—what inducement did they hold out?

Answer. They said they were for a white man's government, and the way things were going on they could not hold it—could not have a white man's government; and there was but one way to get it, and that was to kill out and beat out all the colored people and all white republicans that voted the republican ticket.

Question. You said something about being "insured." Explain that.

Answer. They thought I would join them to keep myself from being beat up.

Question. Was this man who spoke to you a cousin of your wife?

Answer. Yes, sir; he was.

Question. Did you refuse to join?

Answer. I did.

By Mr. VAN TRUMP:

Question. Do you say this Skip Price was a cousin of your wife?

Answer. Yes, sir.

By the CHAIRMAN:

Question. Did they lay any injunction of secrecy on you?

Answer. I was very calm myself, and I did not say very much to him. I thought it would vanish off, and I would not raise any disturbance; and then, because they had let their secret out to me, thinking I would join, they thought they would scare me; and as they had let their secret out, they were going to put me to death.

Question. How do you know that?

Answer. They told me so. And there was a friend of mine they tried to get to help to do it, and had set the night to do it, and had the place picked to put me through. A friend of mine told me that, and said he would swear to it.

Question. How did he learn it?

Answer. They had been at him as they had been at me. He didn't join them then; I don't know whether he has now or not.

Question. He told you that a night was set for you?

Answer. Yes, sir.

Question. Was that the only information you had?

Answer. Yes, sir. It was floating around, but that was all that I got that was so straight about it.

Question. Did young Skip Price ever say anything to you about their intending to kill you?

Answer. No, sir.

Question. After you refused to join did they make any efforts to influence you?

Answer. He said I had better do it; and if I didn't I would be sorry for it hereafter.

Question. Did Skip Price say that to you?

Answer. He said if I didn't join I would be sorry for it hereafter.

Question. Was there anything more than this communicated to you that influenced you in leaving there?

Answer. That was just why I left. They had the night set, and one of my friends came and said if I wanted to live to go and get further off. So I had to rake up, and I went to Spartanburgh and staid there about a couple of weeks, and then came down here. My father-in-law was here.

Question. When did you leave Rutherford County?

Answer. I believe it was about the 22d of February.

Question. Have you been here ever since?

Answer. At Spartanburgh and here, I have. I staid at Spartanburgh two weeks, and then came here.

Question. Are you afraid to go back?

Answer. I am.

Question. Why?

Answer. They would kill me if I went back.

Question. Why would they kill you?

Answer. Because I left on that account. As soon as I came down here, in a few days, a parcel of United States cavalry went up there, and I heard (I don't know whether it was so) that they said if either I or my father-in-law went back they would put us through and kill us.

Question. Had there been any communication between you and Skip Price about joining the order before that interview?

Answer. No, sir; we had been as friendly as two brothers.

Question. Had you been intimate?

Answer. We never had crossed words.

Question. Were you good friends?

Answer. Yes, sir; neighbors and sociable.

Question. Had the subject ever been talked about between you before he sent for you?

Answer. No, sir; not on that system it hadn't.

Question. What system?

Answer. Not for trying to get me to join.

Question. Was that the first information he ever gave you about there being a Ku-Klux organization and wanting you to join them?

Answer. Yes, sir; that was the first.

Question. Is he living there yet?

Answer. Yes, sir; I reckon he is. He is a farmer.

Question. Is Esau Price a farmer; and are the two Splawns and young Smith?

Answer. Yes, sir; they are all farmers.

Question. Had there been any persons whipped in that neighborhood?

Answer. Yes, sir; three or four were whipped within hearing of my house just before I left.

Question. Did you hear it?

Answer. I did not hear it myself, but several neighbors did.

Question. Were they white or black men?

Answer. White men; they did not whip a black man.

Question. Did you know that they had whipped them when he wanted you to join?

Answer. No, sir; that has been since.

Question. Had that any influence on you to make you leave?

Answer. Yes, sir; that scared me, and their threatening me so strong.

Question. Did you ever see any of those men disguised?

Answer. No, sir.

Question. Have you told us all you know about the organization?

Answer. Yes, sir. I have heard more. When they whipped my father-in-law I was there, and I heard it.

Question. Heard of it, or heard the whipping?

Answer. I heard it. I lived within two hundred and fifty yards of his house. I heard them going off with him. They had burst into his house and started off with him before I woke, and then I heard them cursing and cursing, and then I heard them whipping. I reckon I could have heard the whip a mile and a half; I bet I could.

Question. Why did you not go to his relief?

Answer. They would have given me just the same; I was afraid.

Question. Were you near enough to see the men?

Answer. No, sir; it was in the night. But as soon as I stepped in the door I heard one man's voice, and I said, "I know one man's voice in that crowd." My wife said, "Yes, I do, too," and called his name.

Question. Who was that?

Answer. Ellison Cleary.

Question. Who is he?

Answer. He is a farmer. He lives in White Plains Township, Spartanburgh County.

Question. This is all the knowledge you have on this subject?

Answer. Yes, sir.

By Mr. VAN TRUMP:

Question. What is your age?

Answer. I will be twenty-one on the 28th of next July.

Question. How long ago were you married?

Answer. Going on two years. I began quite young.

Question. Were you raised in Spartanburgh County?

Answer. Yes, sir.

Question. Your father lives across the line in North Carolina?

Answer. Yes, sir; just on the line. He used to live in Spartanburgh. He was born and raised in Spartanburgh.

Question. What is his business?

Answer. Farming, and so on. That is about all he follows.

Question. You must have been married at about eighteen or nineteen?

Answer. Yes, sir; I was a little past eighteen.

Question. Did you live with your father up to the time you were married?

Answer. Yes, sir.

Question. In the town or country?

Answer. In the country.

Question. Did you ever go to school?

Answer. Yes, sir—some; but never went to get good learning or education.

Question. How much time did you go to school?

Answer. Not more than six months, I suppose.

Question. At what age were you then?

Answer. I was quite small.

Question. Can't you tell about what age?

Answer. About twelve years of age, I suppose.

Question. When did your father move to North Carolina?

Answer. He moved there last spring a year ago.

Question. You got word you were wanted in North Carolina?

Answer. My father wanted me to go on over when they were going to run me from my father-in-law's place. I was on my father-in-law's place when he was whipped.

Question. When did your father want you in North Carolina?

Answer. When my father-in-law was whipped.

Question. How long did you stay with Mr. Price, (C. P.)

Answer. He was whipped in the fall, and I staid two or three months after he was whipped.

Question. You went up late in the winter?

Answer. I had to go, you see, to build me a house. I went up first to build me a house.

Question. Did you get your house done?

Answer. No, sir.

Question. You never moved up?

Answer. No, sir. I commenced to move up to my father's, bringing a load each time.

Question. On what occasion was it when you saw these men on the road?

Answer. I was then hunting me a place; that was my business up there.

Question. Where did you meet these persons—the three Prices, the two Splawns, and Smith?

Answer. It was right below Skip Price's house, sitting down.

Question. How far from your father's?

Answer. About a quarter of a mile.

Question. Where were you going?

Answer. I was going back to Spartanburgh County.

Question. On your way you found these men sitting beside the road?

Answer. Yes, sir.

Question. How came it that two of these men living in Spartanburgh were there?

Answer. There was a fellow right there had bought a still from this Smith, and Smith had gone up there to carry this still up.

Question. How happened it that Stephen Splawn was along?

Answer. Stephen was not along with them; he just had his name on the list.

Question. What men were with Skip Price by the side of the road?

Answer. There was my brother, Middleton Henderson; he had just walked up, and they were trying to get him to join and he would not do it; and there was Skip Price, he was the captain, and Esau Price and Earle Smith. They were there sitting by the side of the road.

Question. Which of the Splawns lives in Spartanburgh County?

Answer. No, sir; I said both lived in Rutherford County, North Carolina.

Question. Which of the five lived in Spartanburgh?

Answer. Old Esau Price and Earle Smith.

Question. Then, if I understand you, the very five men whose names were read to you were right there with Skip Price by the road. Who did you find on the side of the road with Skip Price?

Answer. Esau Price and Earle Smith and my brother, and I went up and that made four. None of the Splawns were there, but there were their names.

Question. Skip, your brother, Middleton Henderson, and Earle Smith and Esau Price, were all sitting there?

Answer. Yes, sir. They were trying to get my brother to put his name on, but he swore he would not do it, and went off.

Question. Was he living with your father?

Answer. Yes, sir; he is not married.

Question. How old is he?

Answer. He is twenty-one.

Question. Younger than you?

Answer. No, sir; older. I will be twenty-one the 28th day of July next; I expect he is older than that.

Question. Do you not know whether he is older than you or not?

Answer. He is older than I am, but there is very little difference in our ages; there is not much difference.

Question. There is nine months' difference, is there not?

Answer. There is not over nine months.

Question. Who spoke first on that occasion?

Answer. Skip Price.

Question. What did he say?

Answer. He invited me to join with them.

Question. And then what was said?

Answer. I told him I hadn't studied much on the subject. He said, "I do; and we can't have it unless the negroes are whipped and slayed out, and all the men that votes the radical ticket."

Question. What else did he say?

Answer. I believe that is pretty much all.

Question. When did he ask you to become one of them?

Answer. That was the time he wanted me to put my name on the list. He had his pen and ink there, and everything to put my name down. I wouldn't do it, but just jumped on my mule again.

Question. How long did you stay?

Answer. I suppose about a quarter of an hour.

Question. He immediately went to reading you all the names?

Answer. No, sir; he didn't read it plumb through, but he read a number of them; but only five of them I knew.

Question. How many did he read to you?

Answer. I don't remember now ; not more than ten or fifteen.

Question. Did you see the paper ?

Answer. Yes, sir.

Question. Can you read writing ?

Answer. No, sir.

Question. You do not know whether he read it aright or not ?

Answer. No, sir. He took it out and read the names, and Esau Price put his name down.

Question. What did he say that list was ?

Answer. It was a Ku-Klux band, he said.

Question. Who was the captain ?

Answer. Skip Price.

Question. How did you know that ?

Answer. He said he was, and there was his name on the list.

Question. Do you pretend to say that passing along that road and seeing these men they opened this thing right up—pulled out the list and read it off ?

Answer. Yes, sir ; but he had sent after me to meet them right there.

Question. Whom did he send ?

Answer. My father. He had been up there to a neighbor's house and was going along the road there. He was a very close neighbor. I suppose Skip lives a quarter of a mile from my father, and he sent word by my father that he wanted to see me and wanted me to come by there. He said for me to come by there, and when I came there they were sitting there.

Question. Did your father say these men were waiting there ?

Answer. He didn't say what men were there, but that Skip wanted to see me, and I went right on. I believe I was just getting on my mule when he told me.

Question. And as soon as you got there he went on at once to state that all the negroes ought to be killed, and that he was captain of the Ku-Klux band, and had the names of the band and read them ?

Answer. Yes, sir ; and they read it over several times to me.

Question. And asked you to become a member ?

Answer. Yes, sir.

Question. Did he warn you not to say anything about it ?

Answer. Yes, sir, and swore me.

Question. How did he swear you ?

Answer. He swore me, and if ever I let it leak out he would kill me.

Question. Tell in what manner he swore you ; in form ?

Answer. Yes, sir. I raised up my right hand to the oath never to let my wife or neighbors or anybody get it out of me.

Question. All that occurred—you rode up, he said he was captain of the Ku-Klux band, read you the list of names, asked you to join, you refused, and he asked you to never tell, and then you left ?

Answer. Yes, sir. I knew that if I told I would be killed in less than two days ; I knew that.

Question. Was this before or after your father-in-law was whipped ?

Answer. It was since.

Question. One special purpose was to kill your father-in-law ?

Answer. Yes, sir ; they all had a grudge against him. He knew that I knew better than to say anything much about it to any one.

Question. You say they all had a grudge against your father-in-law ?

Answer. They talked it before me, and they knew I knew better than to say anything about it.

Question. But as to your father-in-law—they all had a grudge against him ?

Answer. You know a while ago I told you they said he was only a damned old negro traitor.

Question. Was there any private quarrel ?

Answer. No, sir ; they never had a hard word that I knew of in their lives.

Question. You being the son-in-law of Commodore Perry Price who had been whipped, Skip Price, in the presence of your brother, whose name was on the list—

Answer. He was not on the list.

Question. Did you not say that you were sent for by Skip and went to see him, and found him in presence of your brother, where he at once deliberately proposed all these things in broad daylight ?

Answer. Yes, sir.

Question. You swore to that ?

Answer. Yes, sir ; and my brother will, too.

Question. Where is he ?

Answer. He is in Spartanburgh. I'll bet if he was here he would swear to it.

Question. He would swear hard, would he ?

Answer. Yes, of course, he was there and heard it.

Question. Was that the last you saw of Skip Price?

Answer. That was before I built my house. I went on building my house. My father-in-law leased me a piece of land—

Question. You had forgotten this threat?

Answer. No, sir; I knew it all the time.

Question. Did you tell anybody of this thing?

Answer. No, sir; not even my wife.

Question. Did you tell your brother?

Answer. Yes, sir; we talked about it.

Question. Did you warn him not to talk about it?

Answer. We knew it would not do to say anything about it.

Question. Did you warn him?

Answer. Yes, sir; and he me, too.

Question. You got frightened?

Answer. Yes, sir; it was enough to frighten anybody.

Question. How long did you stay there, after this interview by the roadside, until you came to Spartanburgh? You did stay there some time?

Answer. Yes, sir. I was there about two or three weeks building my house, and I had just commenced moving. I don't know how long it was after that.

Question. Have you seen Skip Price?

Answer. Yes, sir; been to his house.

Question. Have you talked with him about this?

Answer. Yes, sir; every time I saw him.

Question. What did he say?

Answer. Why, he was working for a white man's government, and intended to have it.

Question. You say a friend had told you they had "sot a night" for you?

Answer. Yes, sir.

Question. What night was "sot"?

Answer. I believe it was the 22d February.

Question. What makes you believe it was February 22d?

Answer. Because I know in reason that was the day.

Question. What day did you go to Spartanburgh?

Answer. I don't exactly know. I believe I have here in my pocket the date I left there. Here it is. [The witness here produces the paper hereinafter given.] Here are some of the names that met that night.

Question. Who wrote this paper?

Answer. My wife. There is the date there when I left my father's. That's my wife's handwriting. I got her to write down the day I left there.

[The paper produced by the witness, as above mentioned, is as follows:]

"FEBRUARY 24TH, 1871.

"I was threaten to be killed the 24 or 25 of February, by the K. K., and the 24 night they gatherd at Stephen Splawn, and I believe that was there business was to kill me, but I left home the 22, and they did not git me. And this is the men that went: Jeames Kimbrel, S. C.; Kinch Gilbert, little Berry Gilbert, Wilson Cantrel, S. C.; Henry Cantrel, Jeames Carpenter, S. C.; Rob. Cash, Alferd Davison, N. C.; Phillip Robbins, N. C.; Pertiller Robbins, N. C.; Phil. Henson, N. C.; John Nelson, N. C.; Watson Panther, Hugh Price, seignor, Hugh Price, jr., S. C.; Ross Massy, Pink Foster.

"This is the men that met at Stephen Splawn to put me to deeth: Jeames Kimbrel, Kinch Gilbert, little Berry Gilbert, Wilch Cantrell, Henry Cantrell, Jeames Carpenter, Rob. Cash, Alferd Davison, Phillip Robbins, Pertiller Robbin, Phil. Henson, John Nelson, Watson Panther, Hugh Price, Hugh Price, Ross Massy, Pink Foster."

Question. According to this paper it was the 24th of February when you left there?

Answer. It was the 24th.

Question. Where did your wife get these names?

Answer. My brother gave her the names, the night they were to put me to death. He went along up there that night on some business, and he came right among them suddenly, and he knew many of them.

Question. When was that?

Answer. The night they were to put me through.

Question. Where was he going?

Answer. He was going to Stephen Splawn's on some business.

Question. How far does Splawn live from your father?

Answer. A little over a quarter of a mile.

Question. Was it night-time?

Answer. It was getting thick dusk.

Question. Where did your brother meet them?

Answer. They were gathering right there at Splawn's gate.

Question. And these are the names your brother gave to your wife as the men who had met at Stephen Splawn's that night?

Answer. Yes, sir. And she saw many of them going, but didn't know they were going there. My wife and sister saw them going, but didn't know where they were going.

Question. How did your brother know what they were gathering for?

Answer. They were going to put me through.

Question. How do you know?

Answer. My friend had told me.

Question. Who was he?

Answer. Caleb Griffin had told me, as a friend, that they had sot the night, as I told you.

Question. Where does he live?

Answer. He lives in North Carolina, in Rutherford.

Question. What is his nearest town?

Answer. It is about fifteen miles from Rutherfordton.

Question. Is that the post office where Caleb Griffin gets his mail?

Answer. Yes, sir; at Rutherfordton?

Question. Would a letter addressed to him at Rutherfordton reach him?

Answer. I don't know. He lives off a way, but that is the nearest post office I know of.

By Mr. STEVENSON:

Question. Are there not some little villages or stores near there?

Answer. Yes, sir.

Question. Which one is nearest to him?

Answer. Sandy Plains is nearest.

By Mr. VAN TRUMP:

Question. Do you know your father's ordinary post office; does he get any papers or letters?

Answer. No, sir; not since he went up there. We always got our mail at Spartanburgh.

Question. You do not know the nearest post office to your father and Caleb Griffin?

Answer. I believe it is Sandy Plains.

Question. How far is it?

Answer. About four or five miles.

Question. What is the politics of Griffin?

Answer. Republican; and his father is, too.

Question. How did he know a particular night was "sot for you?"

Answer. They were trying him the same as me—trying to get him in.

Question. Trying to get a republican in?

Answer. Yes, sir.

Question. And they failed?

Answer. Yes, sir; they did fail.

Question. And after they failed to get this republican in, they told him "the night they had sot for you?"

Answer. He said they had talked to him; he didn't tell them he would join or would not join.

Question. But they told him "the night they had sot for you?"

Answer. Yes, sir; they were going to put me to death.

Question. That was the 24th of February, 1871?

Answer. Yes, sir; it is on the paper; you can see.

Question. This was the date when you were to be put to death, and it also fixes the date when you left to go to Spartanburgh?

Answer. I don't remember whether that is down there or not.

Question. Your brother, Middleton Henderson, gave your wife to write down these names of the Ku-Klux that met at the gate of Stephen Splawn that night?

Answer. Yes, sir. He gave her the names, and then she told me, and I said to her "for fear I might forget, take your paper and ink and set their names down."

Question. Then this paper was written here?

Answer. Yes, sir, after she came here.

Question. Then it was not written on the 24th February?

Answer. It was either the 24th or 22d.

Question. You said you left on the 22d of February for your father's, and left there for Spartanburgh, three or four weeks before coming here?

Answer. I left my father's on Monday morning, and staid at Spartanburgh until the next Thursday, and then came here.

Question. Then you did not stay there two weeks or more?

Answer. I said I might have staid there about two weeks.

Question. How long after you got here did she write these names down?

Answer. About two weeks.

Question. You got here, then, about the 1st of March?

Answer. Yes, sir, or a little before. I don't remember now.

Question. About two weeks after that your wife came down here?

Answer. Yes, sir.

Question. And a day or two after that, at your suggestion, she sat down and wrote this list of Ku-Klux that had met on the night "set to kill you," at Splawn's gate, on the night before you left?

Answer. She told me she knew the night and everything, and the names, and I told her "for fear you should forget it, and any production should come out of it, you had better set it down." I would not swear to any name on that list.

Question. These names were what you told her?

Answer. These names were what she told me she had seen that had met there.

Question. You did not give her the names?

Answer. No, sir; she brought the names to me after she came here.

Question. She brought them in her mind?

Answer. Yes, sir, she knew every one of them.

Question. And the way she knew was, because your brother Middleton had passed Splawn's gate, and these men were there?

Answer. Yes, sir, and she saw them going there, but she didn't know then that that was their business.

Question. And then these names were set down in March last, long afterwards, from her memory of what she saw, and what was told her of those that met at Splawn's gate?

Answer. Yes, sir. Those were not all that met, but she put down all she knew.

Question. Have you any objection to our taking this paper?

Answer. I don't know that that paper would be of any use to you or anybody else, but you can take it if you want it.

Question. You say your friend, Caleb Griffin, who gave you notice of "the night set for killing you," is a republican?

Answer. Yes, sir.

Question. How old is he?

Answer. Twenty-one or twenty-two.

Question. What is his occupation?

Answer. A farmer.

Question. They tried to get him into the same organization?

Answer. Yes, sir, he told them that—

Question. He refused it?

Answer. He didn't say he would or would not, but he told me if I wanted to live and do well to get further away.

Question. But before he said he would or would not join, they told him that on a particular night they were going after you?

Answer. Yes, sir. They had the night set and everything.

By the CHAIRMAN:

Question. Had you had a vote before this time?

Answer. No, sir; I am not old enough to vote to-day.

Question. Had you taken any part in politics at all?

Answer. They knew I believed in the republican party, but as far politics, I never bothered my brains with them at all.

By Mr. VAN TRUMP:

Question. What have you been following since you have been here in Columbia?

Answer. I have been working at a sort of carpenter's trade. I didn't have any trade, and have been just learning.

Question. You are really afraid—a young man like you, not having mingled in politics, and unmarked in character—that these men will kill you?

Answer. Yes, sir, for fear I would let it leak out on them.

By Mr. STEVENSON:

Question. Do you know what was the politics of the men who were whipped up in Rutherford County?

Answer. I know they were every one republicans—all that I knew, and as I told you awhile ago, three or four were whipped the night before I left. They were all republicans and white men.

Question. Did these men you saw by that roadside have a book?

Answer. No, sir, he had a list on a piece of paper.

Question. Did he have the oath on a paper?

Answer. He had it on a paper.

Question. Was it printed or written?

Answer. It was written—he read it.

Question. Did you object to taking the oath?

Answer. No, sir; but he told me if I didn't join I must take the oath not to tell anything that passed.

Question. Did you object to taking the oath?

Answer. I said it looked blamed hard to take an oath for nothing. He said I must if I didn't join. I told him I wouldn't join, and he said, "hold up your right hand," and then he read the oath, and I had to take it, for I had their secret.

Question. Were they armed?

Answer. No, sir; one of them had two repeaters belted around him.

Question. Who was that?

Answer. It was Earle Smith. He always toted them.

Question. Were any others of them armed, so far as you could see?

Answer. Not as I saw.

Question. How did you see Earle Smith's arms?

Answer. He had on a short coat, and they were belted around him with a leather belt.

Question. By repeaters, do you mean revolvers?

Answer. They were what we call repeaters. He was the only one had them, so far as I could see.

Question. You did not see any belts on the others?

Answer. No, sir.

Question. Did you send word to your father-in-law before you came down here from there, when your father-in-law was down here and you were up there?

Answer. No, sir, they never let our letters pass.

By Mr. VAN TRUMP:

Question. What is that; your letters were stopped?

Answer. He wrote some two or three letters, but we never got them.

By Mr. STEVENSON:

Question. After you got to Spartanburgh, did you write to him?

Answer. Yes, sir; but I never heard from him until I came here.

By Mr. VAN TRUMP:

Question. Who was the postmaster at Spartanburgh?

Answer. Enoch Cannon.

Question. Who is the postmaster here?

Answer. I don't know.

By Mr. STEVENSON:

Question. How did you write to your father-in-law? You cannot write yourself.

Answer. My wife wrote the letter, and I went and put it in the office.

Question. She signed your name to it?

Answer. Yes sir.

By the CHAIRMAN:

Question. To some of the names on this paper there is added "N. C.," and to others "S. C.;" does that mean North Carolina and South Carolina?

Answer. Some of them belonged to South Carolina and some to North Carolina.

Question. Where is Little Berry Gilbert?

Answer. He lives in Spartanburgh.

Question. Henry Cantrell?

Answer. Spartanburgh.

Question. Rob Cash?

Answer. Spartanburgh.

Question. Where does Ross Massey live?

Answer. Now, I'll be dogged if I can hardly tell where he lives; he is just here and there; he is a loafer.

Question. Pink Foster?

Answer. I don't know where he does live. He did live down in Union. He went up there just before this.

Question. Watson Panther?

Answer. He lives in North Carolina.

Question. Do these men live along the line of North Carolina and South Carolina?

Answer. The furthestest one don't live more than a mile and a half from the line—all those I have named in North Carolina.

Question. How is it with those who live in South Carolina? Do they live near the line?

Answer. They are scattered about; some live seven or eight miles from the line.

By Mr. VAN TRUMP:

Question. Have you had any talk with anybody in Columbia about your being a witness here?

Answer. About being a witness here in Columbia? No sir.

COLUMBIA, SOUTH CAROLINA, July 3, 1871.

HENRY JOHNSON (colored) sworn and examined.

By the CHAIRMAN:

Question. Where do you live?*Answer.* I am staying here in Columbia now. I formerly belonged at Winnsboro, Fairfield County.*Question.* Have you held any public office in this State.*Answer.* I was formerly a member of the legislature.*Question.* What session?*Answer.* The first session after the adoption of the constitution I was elected. I have been up there for a couple of years.*Question.* How long have you been staying at Columbia?*Answer.* Nine or ten weeks.*Question.* For what cause did you leave Fairfield County to remove here?*Answer.* Because I did not feel safe there.*Question.* What led you to apprehend danger?*Answer.* The so-called Ku-Klux visited my house—disguised parties.*Question.* Go on and tell what occurred.*Answer.* Names I could not state, for I do not know who they were. They first came to my house and called to open the door, that they wanted to see me.*Question.* Fix the time first.*Answer.* It was last April, but I cannot tell exactly what time, but it was published; they published it right away.*Question.* Go on and tell what they said and did when they came in.*Answer.* They did not come in. They came and knocked at the door. They came into the piazza and rapped and said, "Open the door;" that if we did not open it they would break the door open. I asked what they wanted. They said they wanted to see me. I made my way out of the back door and crossed into the next yard—Henry Jacob's yard—and asked him if he had a gun in there to assist me; that they were trying to break my door down. He said he had no gun, and I went down into the lot below my house, where two young men were staying, but none of them came out. They had no gun, and so I laid out the balance of the night. I never got to see any of these parties; of course they heard me when I came out. I kept right on down the hill. I live right on the edge of the town. I kept on down, and never saw them any more until about half an hour afterward. I saw a crowd of them go up the street toward the college.*Question.* What kind of a crowd?*Answer.* They were on horseback.*Question.* How many were there?*Answer.* I cannot tell, but it looked to me—that might have been because I was frightened—to be about two hundred. I do not know that there were that many.*Question.* How were they dressed?*Answer.* In gowns; they looked so at night. They had gowns or cloaks on their bodies.*Question.* How were their heads dressed?*Answer.* I cannot tell much about that. I could not see them at my house except as I made out through the window glass, as it was in the night.*Question.* Could you tell whether they were armed?*Answer.* Of course I could. They just had guns; that was all I could see; they had guns on their horses.*Question.* Did they do anything else that night?*Answer.* They went to Mr. McDowell's house and tried to get in, but he would not open the door.*Question.* Who was he?*Answer.* He is a member of the legislature. He is here now.

By Mr. VAN TRUMP:

Question. A colored man?*Answer.* Yes, sir. They went to Mr. Barber's house; he is a senator from there and a colored man. Mr. Barber was not at home; he was down here, and his wife opened the door for them; they went in and left a notice for him to resign, and that if he did not they would come again for other purposes, and not for the purpose of notifying.

By the CHAIRMAN:

Question. Did you see that notice?*Answer.* Yes, sir.*Question.* Who did they leave it with?*Answer.* With his wife.*Question.* How did that notice run?*Answer.* It just read notifying him to resign his position immediately.

Question. How was it signed?

Answer. I forget. I will not be certain, because I think it is here. There is no name to it, I think; "G. Z." is on it, I think, or something like that.

Question. Did you read it?

Answer. Yes, sir.

Question. Was it addressed to Barber?

Answer. Yes, sir. After giving him a private letter in that way, it was also stuck on the court-house door the same night on a large sheet, as large as that map.

Question. At what time of night did these people appear at your house?

Answer. Between 1 and 2 o'clock.

Question. Did you hear them say anything?

Answer. No, sir; nothing more than to open the door or they would break it down.

Question. Did they say what they wanted?

Answer. They wanted to see me, but they did not say for what purpose.

By Mr. STEVENSON:

Question. Did they say who wanted to see you?

Answer. No, sir; they said never mind who wanted to see me, to open the door.

By the CHAIRMAN:

Question. Did you see them?

Answer. Not plainly; it was dark.

Question. What is the population of that town of Winnsboro?

Answer. I do not remember. I took the census, too. There are not many. It is a small town.

Question. Three or four hundred?

Answer. Yes, sir; five or six hundred. It is a tolerably good little town.

By Mr. VAN TRUMP:

Question. What proportion of colored men?

Answer. There are near about two whites to one colored.

By Mr. STEVENSON:

Question. How is it in the county?

Answer. The county has a large colored majority, near two thousand.

By the CHAIRMAN:

Question. How do you feel in regard to your personal security in consequence of this visit; do you feel safe?

Answer. No, sir; not in Fairfield.

Question. Have you been back since?

Answer. No, sir.

Question. Why not?

Answer. I do not feel safe.

Question. For what reason?

Answer. I can always hear threats, and I have received notices notifying me that if I did not resign and quit having anything to do with politics they would kill me.

Question. Resign what?

Answer. Resign my position as a member of the legislature. I have been getting notices ever since I was first elected, off and on, all the time.

Question. Can you trace these notices to any person?

Answer. That is hard to say, because there is a portion of the people that are very bitter, and I could not put it to any one in particular.

Question. Do you believe the notices came from people who would carry out their threats?

Answer. Yes, sir.

Question. Why do you believe that?

Answer. Because I believe that there are some there mean enough to do anything.

Question. Did you find any difficulty in advocating your political sentiments there among the white or colored people?

Answer. Yes, sir.

Question. Have threats been made there?

Answer. Yes, sir, by Tom Woodward.

Question. Who is he?

Answer. He used to be in the rebel army.

Question. Have you heard him make these threats?

Answer. Yes, sir; in front of the court-house.

Question. What did he say?

Answer. He said before the present legislature should meet here again there should be war.

Question. What did he say that was calculated to intimidate or prevent you, or any other colored man, from expressing his political sentiments?

Answer. He has never changed words with me, but this was in a public place and I heard him.

By Mr. STEVENSON :

Question. Was he making a speech ?

Answer. No, sir ; but talking publicly at the court-house.

By the CHAIRMAN :

Question. What is the fact ? Do you feel at liberty to go there openly and publicly and address the colored people ?

Answer. No, sir. I would not do it for the whole world.

Question. Could you do it with safety ?

Answer. No, sir.

Question. What is the general feeling among the colored people ?

Answer. I do not believe a meeting could be gotten up. They fear being killed, because some have been shot.

Question. Where ?

Answer. About nine miles from town there was a company had a gathering there and were drilling, and that night they went at them and took their arms from them, and took them and shot two of them.

By Mr. VAN TRUMP :

Question. Do you say that was in April ?

Answer. Yes, sir.

By the CHAIRMAN :

Question. Apart from meetings, what is the sense of personal security by colored people in their own homes—do they feel safe ?

Answer. No, sir. They keep moving away from up there, because they keep whipping and slashing them at night.

Question. How many colored people have been whipped in that county ?

Answer. To my own knowledge, between twelve or fifteen. I have seen the people, some of them are here now, who, I expect, will come before you.

Question. What was the cause of whipping them ; were they charged with stealing ?

Answer. Nothing, only their political opinions, the meetings and public speeches ; there is nothing else. They are disguised, and they come up at night and take them out and whip them.

Question. Have you at any time talked with the white people of the county about permitting or stopping this thing ?

Answer. Yes, sir. I have talked with Mr. Crait, and Mr. Duvall, the sheriff, about it.

Question. Did they take any steps to prevent this ?

Answer. None that I know of.

By Mr. VAN TRUMP :

Question. Do you know anybody that has whipped these colored people ?

Answer. No, sir.

By the CHAIRMAN :

Question. It has been done by persons in disguise who cannot be identified ?

Answer. Yes, sir. When the men went into Mr. Barber's house, his wife struck a light for them to see which letter to leave for Mr. Barber, and she saw the man, but she cannot tell who he was.

By Mr. STEVENSON :

Question. Had they the letters written ?

Answer. Yes, sir ; one for the court-house door also.

By the CHAIRMAN :

Question. You spoke of a considerable number of men having been whipped in that county that you know of ?

Answer. Yes, sir ; men, and women too.

Question. Have there been any killed ?

Answer. No, sir.

Question. Have there been any other visitations except of yourself ?

Answer. Mr. McDowell and Mr. Cook and myself they visited, but the rest all got letters. Mr. Smart is a white man. They sent him a letter ; he is a member of the legislature now from that county.

Question. Has there been any complaint publicly or generally of the affairs of the administration in that county which was given as a reason for this proceeding ?

Answer. No, sir ; nothing more than this : they said they would not stand the present state of affairs—the way they were taxed.

Question. Which tax did they mean ; the county or State taxes ?

Answer. The State taxes. There is Mr. Martin, the county commissioner, a colored man; they did not visit him, but sent him a letter. He resigned after they notified him. Mr. Dunlap is a white man, and is county commissioner. He is a republican, and he was notified to resign too.

By Mr. STEVENSON:

Question. Who was appointed in Mr. Martin's place?

Answer. No one. The governor would not accept his resignation.

By Mr. VAN TRUMP:

Question. You say that you were elected to the first legislature. When was that?

Answer. In 1868, I believe.

Question. Was there anybody running against you?

Answer. Yes, sir.

Question. White or colored?

Answer. White.

Question. Did you go around and stump and address your colored brethren?

Answer. Yes, sir.

Question. Did the white man also?

Answer. I do not know that he did. I never met him.

Question. Did your district comprise any part of Lancaster County, or is it a representative district?

Answer. That county is entitled to three representatives.

Question. Your electioneering did not go outside of Fairfield County?

Answer. No, sir.

Question. Did you make a pretty thorough canvass?

Answer. No, sir; not very thorough.

Question. Were there several meetings?

Answer. Yes, sir; there were several meetings, but I did not make many speeches

Question. How many did you make?

Answer. Not more than one or two.

Question. Had you any trouble?

Answer. Not a bit.

Question. Were you a slave before the war?

Answer. Yes, sir.

Question. In this last canvass were you a candidate?

Answer. No, sir.

Question. But you were an orator?

Answer. Yes, sir; I canvassed the whole county.

Question. For how long?

Answer. I was gone sometimes two or three days.

Question. How long did the canvass last?

Answer. It commenced in July and held on until the election.

Question. When did the election take place?

Answer. In October.

Question. Then from July to October you were pretty actively engaged in that canvass?

Answer. Yes, sir; and several others were.

Question. Colored and white?

Answer. Yes, sir.

Question. Did you have any trouble at the meetings?

Answer. No, sir; only at one time, at the time of the celebration in Winnsboro of the 15th.

Question. Then, wherein is the danger of a republican, black or white, expressing himself in Fairfield?

Answer. I never had any difficulty. All this occurred since the election.

Question. You said to the chairman that it was not safe for a republican to deliver his sentiments there.

Answer. I say I do not believe it is.

Question. Is it worse now than it was before?

Answer. Yes, sir. No one was whipped or shot before.

Question. What has made it so?

Answer. I do not know.

Question. You say it is political?

Answer. Yes, sir.

Question. Have you any reason to believe that these violent acts are committed for political reasons, except that they are all republicans?

Answer. My belief is, that it is for the purpose of carrying the next election.

Question. Is that more important than the last election was?

Answer. They have tried to carry them all, but never tried in this way before.

Question. What has given rise to this danger in Fairfield County in the expression of

political sentiments? Have you any other reason than the one you have just offered that it is the question of the next election that is causing it?

Answer. That is my belief. I cannot see what else it is. I do not know. It looks strange, when it started after the election was all over. They did not start it during the campaign.

Question. You say in April the party came to your house?

Answer. Yes, sir.

Question. They knocked at the front door?

Answer. Yes, sir.

Question. And you asked what they wanted?

Answer. Yes, sir; and they continued to try to open the door. He said, "We want to see you, and if you don't open the door, we will break it down."

Question. You thought it time to leave?

Answer. Yes, sir.

Question. And you went to Jacob's house to get something to defend yourself with?

Answer. Yes, sir.

Question. Was this Jacobs a colored man too?

Answer. Yes, sir. He was a member the same time I was.

Question. Did you go back to your house at all?

Answer. No, sir.

Question. Were these men on horseback when you saw them?

Answer. Their horses were in the street.

Question. Was it a dark night?

Answer. Right at the piazza it was dark, but I could see them a good way in the street.

Question. Where did you go after you left Jacobs and the two young men?

Answer. I went down to a branch right below my house.

Question. How long did these men stay at your house?

Answer. Not very long.

Question. They did not seem to have any very important business with you?

Answer. No, sir. They heard me, I suppose, when I went out. I heard the horns blowing as they went up the street.

Question. When they went off on horseback, how far off were they?

Answer. About a square, going up the hill toward the college.

Question. Was it moonlight?

Answer. Yes, sir.

Question. Clear moonlight?

Answer. Not quite clear. It was a little cloudy. It was light enough to make out that any one was disguised.

Question. Did they leave a notice with you?

Answer. Yes, sir.

Question. To resign?

Answer. No, sir; I was occupying no position.

Question. What did the notice relate to?

Answer. To leaving.

Question. To leaving town?

Answer. To leaving the country.

Question. Have they visited you since?

Answer. No, sir.

Question. You went to Senator Barber, a colored man, who was not at home?

Answer. Yes, sir; and to Steub. Miller's, a colored man.

Question. You say you colored people have about two thousand majority in that county?

Answer. Yes, sir; that is the majority between white and colored, but at the last election we carried the county by fifteen hundred and nine.

Question. All the colored men did not turn out?

Answer. No, sir.

Question. Are there any democratic colored men?

Answer. Yes, sir.

Question. How many?

Answer. I do not know in the county; but six or seven in the town to my knowledge.

Question. Have you a Loyal League in the county?

Answer. Yes, sir.

Question. When was that established?

Answer. I do not know; about five years ago.

Question. Were you a member of it?

Answer. Yes, sir; I was president of one from the town.

Question. Did you have regular meetings?

Answer. Yes, sir.

Question. During the whole year?

Answer. Not this year; we did not have any meetings.

Question. Did you take an oath when you went into that institution?

Answer. Yes, sir.

Question. What did that oath require you to do?

Answer. I cannot state. It required me to keep secret what was done.

Question. You do not feel at liberty to divulge to us any secrets that you learned there?

Answer. No, sir.

By the CHAIRMAN:

Question. If the judge desires you to answer, we will require you to tell all you know about it.

By Mr. VAN TRUMP:

Question. What does the oath require?

Answer. We swore to stick to one another, and vote the republican ticket.

Question. Nothing else?

Answer. No, sir.

Question. Then it made no difference how many dozen good reasons might be offered, how strong might be the convictions in your own mind that you should not do so, you had sworn to vote the republican ticket?

Answer. Yes, sir; you are bound to do it, unless you think it is not right.

Question. Is that in your oath?

Answer. Yes, sir; unless it proves not to be right—not to be made of good men.

Question. Then what are you to do?

Answer. Then of course a man must depend upon himself.

Question. What if a member of the League quits?

Answer. A number of them quit.

Question. How many military companies have you had in Fairfield County?

Answer. Four companies, but only three were armed; they just had military reviews.

Question. How many men were in a company?

Answer. Ninety-six.

Question. Then there were about three hundred armed men there?

Answer. Yes, sir.

Question. Were they armed by the State government?

Answer. Yes, sir.

Question. You got the arms here from Governor Scott?

Answer. Yes, sir.

Question. What time were these companies organized?

Answer. Last summer some time.

Question. Before the election?

Answer. Yes, sir.

Question. You had new Winchester rifles?

Answer. Yes, sir; breech-loaders.

Question. Did you come down here to get them?

Answer. Yes, sir; we came here for them.

Question. Had you formed military companies before that time?

Answer. Yes, sir.

Question. How long before?

Answer. About a week, I reckon.

Question. Then the companies were organized about that time, long before the election?

Answer. Yes, sir; it was along about the first of the year—in April or May, I think.

Question. The election was in October?

Answer. Yes, sir.

Question. Did you have ammunition?

Answer. We had a small box, I think, about a thousand cartridges for each company; that was furnished at one time, and it was all we ever did get.

Question. Did white men form companies too?

Answer. Captain Smalley was captain of one company at Ridgeville; no white man belonged to my company.

Question. Did any belong to his?

Answer. Yes, sir.

Question. Was his one of the four companies you mentioned?

Answer. Yes, sir; his was the fourth; it was not armed—they might have been armed toward the last. He came down. But I know these three companies were, for the arms were shipped to my care, to Winnsboro, and one at Dr. Turner's store, about nine miles above that.

Question. Do you know, Johnson, whether about that time or afterward any effort was made by the white men to form military companies too?

Answer. Yes, sir.

Question. Did they get arms?

Answer. No, sir; they had sixteen-shooters of their own.

Question. Guns or pistols?

Answer. Guns.

Question. Did they apply to the governor just as you colored people did, and did he refuse them?

Answer. Yes, sir; they applied directly after they did; they said that they applied and that they could not get them; I cannot state that of my own knowledge; I know the whites refused to be enrolled.

Question. That is, Governor Scott refused to have them enrolled?

Answer. No, sir; I know that I had to arrest some of them; they refused to be enrolled; I was enrolling officer.

Question. Did you arrest them with colored squads?

Answer. No, sir; I sent a constable.

Question. Did they organize themselves into companies?

Answer. No, sir; they were not organized under the law.

Question. There was a law in regard to enrollment, applicable to both white or colored?

Answer. Yes, sir; the law applies to all.

Question. There is a pretty large colored population in your county?

Answer. Yes, sir.

Question. Don't you have personal difficulties, disputes among yourselves as colored people, as well as other classes?

Answer. Yes, sir; of course sometimes, but very little—just like other people; we will have falling-outs like others.

Question. They would be as likely to revenge themselves as other people?

Answer. Some will do it; it always has been, and always will be I suppose.

Question. Suppose a bad colored man or set of colored men have a difficulty with another set of colored men, would they not be just as likely to take advantage of a mask as anybody else?

Answer. I would think so.

Question. You think very honestly and fairly. Then, so far as you know as to this Ku-Klux in Fairfield, nobody knows who they are?

Answer. I cannot say who they are. I have heard people say about who they are, but I do not know.

Question. Are not most, if not all, of the county officers colored men?

Answer. All but a few men. The school commissioner is a white man

Question. Had you any education while a slave?

Answer. A little; not much—very little.

Question. As to your other office-holders in that county, how is it?

Answer. They were all slaves too.

Question. Are there not many of these officers who are really incapable of fulfilling the duties of these offices?

Answer. I can say only what I hear. I hear a great deal of complaint, saying that they are incompetent.

By the CHAIRMAN:

Question. Did you say you were a trial justice?

Answer. Yes, sir; I was.

Question. For how long?

Answer. Two years.

Question. You are not now?

Answer. No. After they did away with magistrates throughout the State, of course I did not try to get an appointment.

By Mr. STEVENSON:

Question. You say you had some education before you were free?

Answer. Yes, sir.

Question. Could you read and write?

Answer. Yes, sir.

Question. How did you get that?

Answer. From an old boss that I used to belong to.

Question. How old are you?

Answer. Thirty-one on the 9th of August.

Question. Have you studied any since?

Answer. Yes, sir.

Question. You say some of your officers may not be competent—do you mean for want of education?

Answer. It is so said.

Question. Do you know them all?

Answer. I do.

Question. You mean that you do not undertake to judge their competency?

Answer. Yes, sir.

Question. Can they read and write?

Answer. There is not one in the county but what can read and write.

Question. How did they get their education?

Answer. I do not know; I suppose some got it like I did.

Question. Do they generally try to get educated, intelligent men?

Answer. We get the best we can all the time.

Question. Why do you colored people not get white people there to fill your offices?

Answer. We tried that at the last election. We asked them to accept the positions; they said they would not accept a vote or a nomination from any ignorant colored man.

Question. Did they expect to elect officers without the votes of the colored people?

Answer. They did.

Question. Did they know you had a majority?

Answer. They did.

Question. How did they expect to get along?

Answer. They knew we did not have sense enough to carry it out ourselves, and they did not suppose anybody else would come in to assist us.

Question. Did anybody come?

Answer. Yes, sir.

Question. Who?

Answer. Northern men came and established Leagues all about, and we gained information from them.

Question. Did any native whites join your party at Fairfield?

Answer. Four or five; that is about all.

Question. Where are they?

Answer. They are about there.

Question. Have they been visited?

Answer. They have sent them notices; the sheriff and the county treasurer were not notified. In the same paper they stuck on the court-house they said these were honest men, and they must be careful how they handled the money; but they shot the treasurer since then.

Question. They had said in this notice that he was an honest man?

Answer. Yes, sir.

Question. You say you elected some white men?

Answer. Yes, sir; four white men, with Mr. Smart and the judge of probate too, and a clerk of the court; they were white men.

Question. Then you elected about all white men there—the republicans?

Answer. Yes, sir.

By the CHAIRMAN:

Question. Do you mean in the town or in the county?

Answer. I mean in the whole county.

By Mr. STEVENSON:

Question. Why are not more white men republicans?

Answer. I cannot tell.

Question. You spoke of all the names on one sheet on the court-house; do you mean all that they visited that night?

Answer. Yes, sir; and a couple that they did not visit. They never visited the sheriff nor the county treasurer, nor the clerk of the court; and they did not have the name of the clerk of the court nor the judge of probate.

Question. Who ran against you for the legislature?

Answer. Doctor Gibson ran against me. They had three and we had three.

Question. Who was Doctor Gibson?

Answer. Doctor Edward Gibson, a white man and a citizen.

Question. Was he in the rebellion?

Answer. I do not think he was. He was at home all the time attending to business for those who were.

Question. Who else?

Answer. I think one is Mr. McKean, and Mr. Corkland was one too. He has been a magistrate there a while.

Question. Did any of their county or legislative ticket take part in the war?

Answer. Yes, sir; lots of them took part in the war, but they staid at home.

Question. They were not in the army, but they sided with the rebellion?

Answer. Yes, sir.

Question. In that canvass did not they get some colored men to vote with them?

Answer. They tried to get all that they could get, and to get them that they could not get and did not get.

Question. Does not that account for their commencing to whip them after the election?

Answer. They discharged a heap of the m after the election for not voting with them

Question. But before the election were they not treating them kindly to get them to vote with them?

Answer. Yes, sir; and paid some to vote with them.

Question. When did they first get mad?

Answer. During the election; and after they got through they asked Mr. Barber, who was chairman of the board of commissioners, to let them send a committee to see the funds of the county, and he did so. When it was counted out they wanted to test some of the boxes, and they had their clerk in there.

Question. They tested those they wanted to?

Answer. Yes, sir.

Question. Then what; when did they first get mad?

Answer. I cannot tell you. It has been going on ever since the election.

Question. As soon as they found that they were beaten they began to get mad?

Answer. Yes, sir; and they have been whipping and thrashing ever since.

By Mr. VAN TRUMP:

Question. Do you mean that that has been going on in Fairfield County ever since the election? We have not heard it:

Answer. Yes, sir. You may not have heard it, but you can hear it there.

By Mr. STEVENSON:

Question. You were too far off to see the disguises, but could you see whether their heads were covered or not?

Answer. I could see that they had on gowns or cloaks; only those that I could see through the glass by the door were close enough for me to see their disguises.

Question. You spoke of horns blowing; explain that.

Answer. When they rode off they blew horns; plenty of people in town saw and heard them. The policemen and all saw them.

By the CHAIRMAN:

Question. When that Union League was established, you speak of their giving the people instruction; did they instruct them in their duties and rights?

Answer. Yes, sir.

Question. Were these colored people at any time instructed in the Leagues to make any aggressions upon the white people there in property or in person?

Answer. No, sir; never.

Question. Do you know of any time when there was any instruction to commit violence to person or property, or any incitement to lawlessness in these Union Leagues?

Answer. No, sir.

Question. You say they were established to aid the republican party?

Answer. Yes, sir.

Question. When you have been in these Union Leagues has there, at any time, been any action taken with reference to these alleged outrages?

Answer. No, sir.

Question. How long since you have held meetings of the Union Leagues?

Answer. I have not been to one this year.

Question. Are they disbanded or in existence?

Answer. They are just standing just so.

Question. Why is that so?

Answer. Just because they are afraid to meet.

Question. Do you state, as a fact, that the colored people are afraid to meet in the Union Leagues?

Answer. Yes, sir.

Question. What are they afraid of?

Answer. Afraid of these disguised parties.

Question. Why are they afraid?

Answer. Notices are sent; they give notice always to us; down at Horeb they gave notice and came and shot in at the window.

Question. Is there any disposition among the colored people to intrude themselves upon the white people in any way in their public capacities?

Answer. No, sir.

Question. Or in their private relations?

Answer. None at all.

Question. Has there been anything in the conduct of the colored people, so far as you know, to give rise to animosities on the part of the white people, except it be the exercise of their political rights?

Answer. Nothing else at all; not a thing, unless it is their rights. I do not know of any one throughout the country who ever raised a disturbance.

Question. What was the occasion of arming the colored companies? What was the necessity for organizing or arming them?

Answer. I understood it was done for the purpose of protecting the State, white as

well as colored ; but the whites have said to me, after it was done, that it was done by Governor Scott to secure his election, and after that was over he would take the arms away from them.

By Mr. VAN TRUMP:

Question. Is not that the fact?

Answer. Of course he has taken our arms away from us.

By the CHAIRMAN:

Question. Were the troops attempted to be used to control the election?

Answer. Not a gun was carried there. It was just as peaceable at the last election as it is in this room now.

Question. Has not the governor taken the arms away at the demand of the whites?

Answer. Yes, sir ; they said if the arms were taken away from the people the Ku-Kluxing would stop.

By Mr. STEVENSON:

Question. Were not the whites seizing the arms wherever they could get them?

Answer. Yes, sir. Where these men were they were seizing the arms.

Question. In your county they seized the arms of one company.

Answer. Yes, sir.

Question. Has the State got them back?

Answer. No, sir ; not that I know of.

By the CHAIRMAN:

Question. What is your occupation at home?

Answer. I am a mechanic—bricklayer and plasterer.

Question. Was that your trade when a slave?

Answer. Yes, sir.

Question. Do you feel at liberty to go back to Winnsboro' and follow your trade there?

Answer. No, sir.

Question. Would you be visited?

Answer. I would be visited, I believe, by the Ku-Klux, and, moreover, I would not get anything to do, because they would not give me anything to do.

Question. Were you told that?

Answer. Yes, sir.

Question. By whom?

Answer. By several of them.

Question. How was that before this Ku-Klux organization came up ; did you find any difficulty in getting employment then?

Answer. I always had plenty of work before I went into politics, but I have never got a job since.

Question. What reason do they give for not employing you?

Answer. None at all.

Question. Are you willing to work at your trade?

Answer. Yes, sir ; of course I am. I am working at it now in this town.

Question. Does that apply to anybody else, or is yours an exceptional case, of a person being refused work because of participation in politics?

Answer. There have been many in that way in the county ; some they will give work to. Now, there are very few furniture-makers. There is only one colored man in the town who is a furniture-maker, and they gave him a little for a while, but after a while they stopped giving him anything to do.

Question. Suppose a colored man takes no part in politics, does he find any difficulty in getting work?

Answer. No, sir.

Question. What do they expect to accomplish by not giving you work?

Answer. I do not know.

Question. Do they tell you?

Answer. I suppose they do it merely because they think they will break me down and keep me from interfering with politics.

By Mr. STEVENSON:

Question. Has a colored man who votes the democratic ticket any difficulty in getting work?

Answer. No, sir.

Question. Does that help him in getting work?

Answer. I do not know that he can get along any better than we do—not much. There are mighty few in the town—I suppose eight or ten. They give them work to do ; they are employed.

By the CHAIRMAN:

Question. You say eight or ten voted the democratic ticket in Fairfield?

Answer. That is, about the town ; there are more in the county.

Question. Are they visited by other colored men and violence offered to them?

Answer. Not at all.

Question. Have there been any instances of that kind in that county?

Answer. No, sir; not that I know of.

By Mr. VAN TRUMP:

Question. As to this labor question, you say that you are not furnished with labor in Fairfield because of your politics, and that surprises you very much?

Answer. Of course it does not look reasonable.

Question. That is because you have not been very well informed in American politics. Suppose I were to bring you crowds of witnesses to prove that hundreds of republican proprietors in the North turn out tenants or employes because they will not vote the republican ticket, what would you think of that?

Answer. I do not know.

By Mr. STEVENSON:

Question. In reference to these Union Leagues, did you ever hear anybody in these Leagues promise land and mules to colored men?

Answer. No such story was ever uttered in a Union League where I was.

Question. Where did that story start from?

Answer. I heard the democrats making use of it. The first session of the legislature, as I was going home on the train, there was a party on the same train drinking and going on, and one of them said, pointing to me, "There goes forty acres and a mule." That was the first time I heard it. After that they got up a card, and they put me and the whole assembly on it, and there was one big black fellow before Judge Boozer arguing for the forty acres of land and a mule.

By Mr. VAN TRUMP:

Question. While that has not been done in Fairfield it might have been done in other counties?

Answer. That might be, but I think that was got up by the democrats for the reporters. I know they were trying to buy votes on the other side.

By the CHAIRMAN:

Question. Did you see that at the last election, buying votes?

Answer. No, sir; not at the last election. They paid for them, but they did not get the votes after that. I have the tickets now. The man gave them to me and I gave him another. That was at the first election; but the man got his bacon and corn for it after all.

By Mr. VAN TRUMP:

Question. The colored people being all republicans, there is no necessity for the white republicans to buy them?

Answer. That white man was not a white republican.

Question. I ask you the general question, which has not really much point, but has about as much as some others we have asked: the colored people of South Carolina being all republicans, is there any necessity for white republicans to buy their votes?

Answer. I could not tell what may happen.

Question. You think there may be hereafter?

Answer. It may be; I cannot tell what may happen hereafter. I understand you to ask, if you and I were both republicans, and both running, and you found that you were going to get beat, would I or you take money and buy votes; now I do not know how that might be.

Question. Do you believe that there is much difference between the republican and the democratic party in reference to buying votes when there is any necessity for it?

Answer. I believe both will do it, but they do it for different ends. I believe the democrats would buy our votes to get into power in order to take away our rights. Republicans, I believe, might buy them if they feared they were getting beat without it, but after the republicans get in we know that they would not take away our rights, for it is from the republicans that we have got all our rights.

COLUMBIA, SOUTH CAROLINA, July 3, 1871.

WILLIS JOHNSON (colored) sworn and examined.

By the CHAIRMAN:

Question. Where do you live?

Answer. At Leonidas Sims's, in Newberry County.

Question. How long have you lived there?

Answer. This year. I lived there one year since I have been free before this year.

Question. What is he?

Answer. A planter.

Question. Are you a laborer?

Answer. Yes, sir.

Question. Can you read and write?

Answer. No, sir.

Question. Were you taught any before you were free?

Answer. No, sir.

Question. Have you been taught any since?

Answer. No, sir.

Question. Have you been at any time visited by men masked and disguised—Ku-Klux?

Answer. Yes, sir.

Question. When?

Answer. Last night two weeks ago.

Question. Go on and tell what you saw and what they said and did, telling it in your own way.

Answer. When I awoke, as near as I can tell, it was between 12 and 1 o'clock. I heard some one call "Sims." I held still and listened, and heard them walk from his door to my door. I was up-stairs, and I got up and came down-stairs. They walked back to his house again and asked him to put his head out. He did not answer, but his wife asked them who they were. They said they were friends. They walked back to my door again, and just as they got to the door they blew a whistle. Another whistle off a piece answered, and then men seemed to surround the house and all parts of the yard. Then they halloosed, "Open the door." I said nothing. I went to the head of the bed and got my pistol, and leaned forward on the table with the pistol just at the door. They tried with several surges to get the door open, but it did not come open. They went to the wood-pile and got the ax, and struck the front door some licks, bursted it open, and then went to the back door and burst it open. Nobody had yet come into the house; they had not come in. They said, "Strike a light." Then I dropped down on my knees back of the table, and they struck some matches and threw them in the house, and two of them stepped in the front door, and that brought them within arm's length of me as they stood there. As soon as they did that, I raised my pistol quickly, right up to one's back, and shot, and he fell and halloosed, and the other tried to pull him out. As he pulled him I shot again. As they were pulling, others ran up and pulled him out in the yard, and when the whole party was out in the yard I stepped to the door and shot again, and then jumped to the back door and ran. I got off. I staid away until the next morning; then I came back and tracked them half a mile where they had toted this man and laid him down. I was afraid to go further. Mr. Sims and I were together, and I would not go any further, and he told me to go away; that I ought not to stay there; that he saw the men and saw the wounded man, and was satisfied that he was dead or mortally wounded, and I must leave. Mr. John Calmes, the candidate of the democrats for the legislature, advised me to take a paper and go around the settlement to the white people, stating that I would never vote the radical ticket, and he said he did not think they would interfere with me then. He said that all they had against me was that on election day I took the tickets around among the black people; and he said, "You knocked me out of a good many votes, but you are a good fellow and a good laborer, and we want labor in this country." I told him I would not do that.

Question. Had you taken any part in politics?

Answer. I only had tickets on the day of the election, and I had given them out.

Question. Had you been active in getting colored voters to go to the election?

Answer. Yes, sir; I had done right smart that day.

Question. Did these men tell you what they wanted you to come out for?

Answer. They never said a word why. They did not ask me to come out, but to open the door.

Question. Were they disguised?

Answer. I did not see the disguises. I dropped down under the table when they opened the door; but Mr. Sims said he saw them disguised.

Question. Did you see this man who fell?

Answer. He fell just as the matches went out; I had no time when I shot to see his face, and as they were going out I shot again.

Question. Do you know of anything that was charged against you except the part you had taken in politics?

Answer. Nothing at all.

Question. Had you had a quarrel with anybody?

Answer. Nobody.

Question. Who is Mr. Sims; is he a republican?

Answer. He was a democrat; I was working for him.

Question. You say you heard them call for him, and ask him to come out?

Answer. Yes, sir; he did not make them any answer; his wife answered them.

Question. Did you say you were in the same house?

Answer. No, sir; I was in a separate building.

Question. In the quarters?

Answer. My house was his cook-kitchen, about twenty yards from his house.

Question. Are you married?

Answer. Yes, sir; I had my wife and three children in the house. They are there now.

Question. Did you leave then in pursuance of that advice?

Answer. Yes, sir.

Question. Are you afraid to go back?

Answer. Yes, sir; of course I am. Mr. Sims told me, and several other white people, on Monday, that they were satisfied that if I did not leave there they would kill me some time or other, and his advice was for me to leave then. He did not want me hurt, I suppose.

Question. How many persons were there?

Answer. From what I saw I suppose there were fifteen or twenty. He says he saw the whole party before when they began to break in and after they left, and there were fifteen or twenty.

Question. Did you track them by the blood?

Answer. No, sir; by the tracks through the oats patch.

Question. Was there any blood in the path by which they went away?

Answer. No, sir.

Question. Do you know whether this man was killed or not?

Answer. I do not; Mr. Sims said when they put him over the palings, one of them said, "God damn it, hold up his head." Six of them went off toting him.

Question. Had you any previous notice that these people were coming?

Answer. Yes, sir; they had put up a paper that I was to leave in fifteen days. That was three months ago.

Question. Where was that put up?

Answer. On Duncan's Creek bridge.

Question. What kind of a notice?

Answer. It was a notice. They put Mr. Sims's name on the paper, and my name, "Willis Johnson," and said, "He had better get away from here; we give him fifteen days to get away."

Question. Was it signed?

Answer. No, sir; only his name and mine, saying I had fifteen days to get away.

By Mr. VAN TRUMP:

Question. In what connection did they use Mr. Sims's name with yours?

Answer. That was where I was living.

By Mr. STEVENSON:

Question. How do you know that it was the Ku-Klux that did it?

Answer. That was what the white folks said; I could not read it.

By the CHAIRMAN:

Question. How far is Simms's place from Newberry?

Answer. Fifteen miles. It is near the line of Union County.

Question. Have there been any other people whipped or shot in that neighborhood?

Answer. Not in the neighborhood. There had been notices put up for others to leave. That was the same time mine was put up. Mr. Calmes advised them to take a paper and go around the settlement and the white people would sign it, and then they could stay there, and they did it.

Question. What kind of a paper was it?

Answer. It was a paper promising not to have anything to do with the republican party any more, and advising everybody to have nothing to do with it.

By Mr. VAN TRUMP:

Question. You did not take such a paper as that around?

Answer. No, sir.

Question. It was Mr. Sims's opinion, then, after you had shot this man, that that would make everything right?

Answer. Yes, sir; Mr. Calmes did.

Question. Mr. Calmes knew, by report from you or others, that you had shot this man, and yet he thought that if you took that paper around, and the people signed it, you need not leave?

Answer. Yes, sir; but I did not do it.

Question. But some of your other colored friends have done it?

Answer. Yes, sir; one other man did.

Question. Did you see that paper?

Answer. Yes, sir; but I could not read the names on it.

Question. You saw the names on it ?

Answer. Yes, sir ; he was riding two days around the settlement.

Question. You do not know any of these men who rode around disguised ?

Answer. No, sir ; I never saw any of them to speak to them.

Question. They called for Mr. Sims twice, and never called for you ?

Answer. No, sir.

Question. Did they try to get into Simms's house before they tried yours ?

Answer. No, sir ; they did not try to break into his house. He made no answer, but his wife asked who they were, and they answered that they were friends. When they came to my door they blew a whistle, and then men came from all parts of the yard and surrounded the yard and house, and a man hallooed, "Open the door!"

Question. Then there must have been over fifteen ?

Answer. I do not know ; that was as many as I saw.

Question. When they blew the whistle, how many did you see then ?

Answer. I could not see them.

Question. As soon as they broke in you blazed away ?

Answer. Yes, sir ; as soon as they came into the door I shot at them.

Question. Do you think you killed that man ?

Answer. I do not know.

Question. Was there any blood ?

Answer. No, sir ; but he fell at the crack of the pistol, and they pulled him out and laid him down outside of the door, and when I ran out he was still lying there.

Question. You do not know whether he was playing possum or was hurt ?

Answer. I think he was hurt, because I put my pistol right on him at the center of his back and fired, and he fell.

Question. Do you know who he was ?

Answer. I do not know, but I heard that a storekeeper named George Reizer, at Liberty Hall, had not come in since that time, and it was strange that Dave Gist passed my house three times the next day. That was strange.

Question. Your interpretation of all this is that this was a visit of violence to you, because you had taken some active part in the election last fall—last October ?

Answer. Yes, sir.

Question. But you say this occurrence took place two weeks ago last night ?

Answer. Yes, sir.

Question. And in all that time you have not been disturbed by anybody ?

Answer. No, sir ; except at Duncan's Bridge, and except Mr. Calmes talking to me and saying, "You are the only man I fear in this district losing his life." I said, "Then you know who would take it ?" "No," said he ; "but you know you took those tickets about."

Question. But that did not frighten you ?

Answer. No, sir ; when they put up the notice on the bridge, I answered they could put one on my door, and I would suffer before I would leave my wife and children.

Question. How long have you lived there ?

Answer. I was raised there, within three miles of where I live.

Question. How long have you taken part in politics ?

Answer. Only this last election ; Mr. Phifer would tell me how to act.

Question. Were there any other colored people who took an active part in politics ?

Answer. Yes, sir.

Question. More than you did ?

Answer. Yes, sir.

Question. And they have not been disturbed ?

Answer. Yes, sir ; they have had notices to leave, and have taken papers around for the white people to sign, and then they staid.

Question. Do you know the names that signed the paper ?

Answer. Yes, sir.

Question. Give the names.

Answer. William Whitmire, Nathan Whitmire, John Calmes, Henry Whitmire, John Epps, Dr. Brown, Borrock Duncan, Thomas Duckett, Thaddeus Duncan. Those are men I know that signed.

Question. Give us the names of the most prominent white men that signed that paper.

Answer. I think Mr. Calmes and Dr. Brown and Henry Whitmire are.

Question. Are there any other leading men in that neighborhood that signed these papers ?

Answer. Not that I know of.

Question. Are these pretty prominent men there ?

Answer. Yes, sir.

Question. What is the nearest town to your neighborhood ?

Answer. Newberry.

Question. How far is it ?

Answer. Sixteen miles.

Question. Is there a post office nearer than that ?

Answer. Henry Whitmire's post office is the nearest to Mr. Sims's.

By Mr. STEVENSON :

Question. How old are you ?

Answer. Thirty years on the 11th of December next.

Question. Were you born up there ?

Answer. Yes, sir.

Question. You seem to be about half white ; do you know who your father was ?

Answer. A man named William Coates.

Question. A white man ?

Answer. Yes, sir.

Question. Was he a planter ?

Answer. He was a gentleman who lived in Newberry village.

Question. Was he regarded as your father ?

Answer. Yes, sir ; people knew that he was.

Question. Was your mother a black woman, or partly black ?

Answer. Yes, sir ; she was a very dark-skinned woman.

COLUMBIA, SOUTH CAROLINA, July 4, 1871.

ERASTUS W. EVERSON sworn and examined.

By the CHAIRMAN :

Question. Where do you live, Major ?

Answer. At present here in the city of Columbia.

Question. How long have you resided here ?

Answer. I have resided here, this last time, since October, 1870. I was on duty here two years before that, in the United States Army, and then two years and a half in Charleston. I arrived in Charleston the 1st of January, 1866.

Question. Please go on and state to the committee into what parts of the State your duties have taken you, and what knowledge you have there derived of this order, commonly called Ku-Klux.

Answer. Do you wish me to commence with 1866 ?

Question. We do not desire you to go so far back in giving details, unless it be something that will illustrate the present condition of affairs.

Answer. I was assistant inspector general of troops for eighteen months, and an aid for nearly three years, and was continually traveling over all parts of the State during all that time. There were then bushwhackers, as we called them, and I was engaged in pursuing them. I arrested a good many of them while I was under General Sickles. There is a pretty full report of them connected with the report of the Secretary of War for 1866-'67, and part of 1868. It is marked Appendix B. On May 31, 1868, I was mustered out, but continued another year as inspector of the Freedmen's Bureau. I had been all this time connected with the service as an aid. I had double-barreled duties, as you may call it. In 1869 I was discharged from that, in the closing up of the concern here, and was appointed assistant assessor of internal revenue, and went up the country. July 1, 1869, I commenced my duties as assistant assessor, and served until the 23d of October last. It was a little over a year. I got along very well in the portion of country embraced in my district. I really had no connection there with the Ku-Klux. I was in the same town where General Orr resides, Anderson. But on the 17th of October last I went to Union ; I started for there on the 14th, to get a horse ; that is out of my district. I bought a horse there, and on the 17th I rode across from Union to Laurens on my way to Anderson, taking me across the country. There I ran across the Ku-Klux.

Question. State what occurred.

Answer. I got to Laurens on the night of the 17th ; the election occurred on the 19th. Colonel Smith, of the Eighth United States Infantry, was there with his troops. I knew him very well. I met a good many armed men riding across on the road from Laurens, and thought it was not exactly prudent to go further until after the election.

Question. Were the armed men you met troops of the United States ?

Answer. No, sir ; mounted citizens.

Question. That was on your way to Laurens ?

Answer. Yes, sir ; they were on the way coming from the cross-roads, falling in ; they did not disturb me any.

Question. Were they white men ?

Answer. Yes, sir. I got to Laurens on the 17th. I saw Colonel Smith and talked this matter over with him. I concluded to stay here until after the election. I put

my horse up at the hotel. No one knew me in the town, so far as I knew, and I got along very well. On the night of the 18th they commenced discussing what was to take place the next day.

Question. Who commenced it?

Answer. I do not know who. I did get two names of parties, but they have slipped me entirely. I got two names of men whom I saw commit an assault at the polls. I set them down on an envelope, but I afterward lost that.

Question. Was this discussion at the hotel?

Answer. It was at the door of it. I mingled with them on purpose to get on the right side of them and to not get into any difficulty myself.

Question. Was it between citizens of the place or those who came in?

Answer. Both.

Question. What was said?

Answer. They were discussing the probabilities of a row. The country people were coming into the town very fast that night to vote.

Question. Were they armed?

Answer. Not that I know of; not so that arms could be seen.

Question. Proceed with your statement.

Answer. The manner of the conversation was after this style. They would discuss the probabilities of a row, and say, "Well, if it is to come, it might as well come now as any time."

Question. If what is to come?

Answer. Well, the difficulty; the younger ones were for having a difficulty, and laid plans for it, by saying what they could do.

Question. What did they say?

Answer. They said the troops—by the way, the troops were to leave the next morning after the election; they had an order to leave then—they discussed the probabilities of the troops interfering. They said they did not want to raise trouble with the troops of the United States, only with the State constables, for they had no business there. There was a great deal of conversation of that nature.

Question. From what you have said I infer that there was a preconcerted arrangement to make a difficulty?

Answer. Yes, sir.

Question. State what occurred.

Answer. The most decided evidence occurred that night. I went to bed, and mounted armed men were riding all night. I slept on the lower floor, next to the street. They stored their arms in a building across the street, and gave orders to have the horses where they could put their hands on them and not to have them unsaddled, and they went up into a room overhead which had a board floor, and there they talked about it. They talked about how they would seize the ballot-boxes, and they laid a plan to seize one of the ballot-boxes, which I heard, and I sent word of it to Mr. Crews.

Question. Who was he?

Answer. A citizen, a leader of the colored men. I did not have anything to do with him, for I was afraid to be mixed up in it.

Question. What was the plan?

Answer. They were to ride up toward the country poll, and an Irishman was to bring the poll or the box. The party were to ride out toward this country poll—one of them to get into the wagon with the Irishman who was bringing the box in. He was to go from Laurens Court House to get the box, and this man was to seize the box, and they were to be at hand to render him whatever assistance might be necessary. This was to take place the next night after the election. This arrangement was made the night beforehand. They were to ride in the rear.

Question. What took place the day of the election?

Answer. The next morning, which was the morning of the election, there were a great many armed men in town; a great many. There were three polls certainly; I cannot positively testify to more, but there may have been four. At two of these polls there was no particular difficulty. There was a little falling out between some colored men and white men at one, early in the morning, but no blows struck. Pistols were drawn, and, by the way, the men whose names I said I had taken were the men who had this falling out at that poll. J. C. Raiforth was the name of one. I inquired his name, and I saw it on the hotel register afterward.

Question. Where was he from?

Answer. I do not know. He was from the county somewhere. It seems to me it was Clinton, but I cannot testify positively about that.

Question. Go on with your statement.

Answer. I went out to the camp at about 10 o'clock. The camp was perhaps a quarter of a mile from town. Along during the forenoon one of the State constables came down there, and in a little while another came down. They had been driven away from the polls of the precinct, they stated. They wanted some help. The colonel thought it was not best to send any troops down there just then. They sat around a

while, and after a time I saw a colored man that I had seen about there—a constable coming down across the field. He said there was going to be a fight. I went to meet him as I saw him coming toward the tent. It appeared that Tyler, one of the State constables, had been driven out at Clinton, some eight or nine miles below, and had come up there when the attack was made on this poll in the town the constable came from. He went immediately to Mr. Crews's house and drew up these colored soldiers that he had.

By Mr. VAN TRUMP :

Question. Who did?

Answer. This young man Tyler. I felt as if there was going to be a row there from what I had heard talked over and from the elements that were there. I went to Colonel Smith and told him, "Colonel, you had better go right down there at once and stop this thing or there will be a terrible row right off," and he did go; when he got down there the militia was drawn up.

Question. The colored militia?

Answer. Yes, sir; they were drawn up in Mr. Crews's yard. He could see them. The white men were formed at the head of the street. The town is chiefly on a square. They had formed at the head of the street, facing the militia, drawn up to charge. The colonel went to Mr. Tyler, a young man who had not much discretion, and asked, "What are you going to do?" He said, "I am going to fight if they charge me." He saw by the young man's countenance that he would fight, and he went to the white men, and by his efforts the thing was quieted down. Colonel Smith induced them to do so. The negroes put up their arms, and the other parties went away. This was on election day. There was no further trouble after that on that day, and all went on quietly.

Question. Is Tyler a white or colored man?

Answer. A white man. He is from Toledo, Ohio. I think he was a soldier in the war.

By the CHAIRMAN :

Question. Proceed with your statement.

Answer. That night there was a general clearing out of the town, colored and white. It was rainy the next morning, and I made up my mind to go across the country to Anderson, as it was so quieted down. Colonel Smith left long before day with his command. This would be, I think, Thursday morning, the 20th. I went over to the barber-shop. To get at this thing exactly right, I will explain that there is a large court-house which stands in the center of the square. I was over at one corner, at this barber-shop, and was getting shaved. On the next corner was the hotel. All at once I heard a pistol-shot. Court was in session at that time. I jumped out of the chair and ran out. One of the State constables, named McKean, was in the barber-shop getting shaved, and he grasped his pistol and started across. As quick as I got into the square I saw there was going to be a fight. I had on a light-colored coat, which made me rather conspicuous, as there were no others like it. You know how it is with a man when anything of that kind comes up. It went through my mind like lightning what I should do. I knew the disposition of the people. I knew they were ripe.

By Mr. VAN TRUMP :

Question. Do you mean on one side, or both?

Answer. On both sides, after they started. The colored people then, under that young man, would have fought as long as they could. They had done nothing apparently, as far as I knew, to induce a fight.

Question. How do you know that?

Answer. Apparently that was the general opinion. This constable went out into the square on one side of the court-house, and I went out on the other. I got past the alley-way which runs across. My idea then was to get down to Mr. Crews's house, where there were almost all of the men.

Question. Almost all the colored men?

Answer. Yes, sir; and constables. I got as far as past this alley-way, and then the fire was so hot on both sides that I went in. It leads all the way through the court-house. I walked the whole length of the court-house and went up the steps that lead to where the judge was sitting, and I came in of course behind him. Court was sitting at that time; the judge was standing up, and he turned to me and asked me what was the matter; I told him a terrible riot was going on down in the square. He adjourned the court, and told the sheriff to call out the *posse comitatus*. The sheriff said he had already done so.

By the CHAIRMAN :

Question. Who was the judge?

Answer. Judge Vernon. I went into the bar of the court-room and sat down for a minute or two to consider. Just then there was a very loud explosion in the yard. I did not know what it was; according to my idea, it was made by two anvils put to-

gether; it was nearly as loud as a twelve-pounder. I went to the window and watched the fight for a few moments; some were getting hurt. People were rushing up the steps. This room was on the second story. There was a regular throng of black and white people mixed up together there. I made up my mind that that was no place for me. I thought there would be a muss. I went out and went through the fire, walking across to the corner of the square; I walked; I would not run for fear they would think I was mixed up in it and shoot at me; but after I got around the corner I ran very fast on into the woods, and went through the woods until I struck the railroad, about two miles below the town. I knew that a hand-car came past with the mail. I thought I would go on until I reached that, and then I would go down by it to Columbia. I went on; when I got to the middle of a high tressle, about four miles from the town, they commenced shooting at me from a cotton-field.

Question. Who did?

Answer. Mounted men, who were going toward the town; I had been coming down to meet the hand-car; I had heard a regular stream of them passing along as I left the town; I crossed the tressle; there was a little road below, and I ran into a squad of them, and they gobbled me up and were going to shoot me; they accused me of being a State constable; I told them I was not one, but one said I was not born around there, and said, "What business have you here?" I told them, as I have told you, that I was crossing the country to Anderson; that I was a revenue officer; they would not believe it; and when it came to shooting, when they got their guns cocked, I resorted to the last resort, and captured the captain of the squad, and he stuck by me until I got down to—

Question. What do you mean by "resorted to the last resort?"

Answer. Well, sir, I gave a sign to the captain of that squad; he was the only mason there.

Question. You mean that you gave him a masonic sign which he recognized?

Answer. Yes, sir; I will tell you right here; in all the affidavits issued here I have said very little about this, for the reason that that man ran the risk of his life twice for me right there, and I have said as little as I could about it; I do not want to bring him into any trouble after he rescued me.

Question. Was there any other charge for which you were arrested except that given in the conversation?

Answer. No, sir; he asked me where I was born; I told him Trenton, New Jersey; I would not say Massachusetts, for fear the crowd of young men there would consider that a sufficient excuse to kill me.

Question. Was the demand made that you should be executed?

Answer. Yes, sir; they dragged me for rods by the collar to shoot me; four different times they were going to shoot me; from there down to Copeland's house I was to walk; I had a little interview with this man; we went apart a little ways; they insisted upon shooting me anyhow; he left me and told me to go on, that nobody would trouble me between there and Copeland's, that all the men going to Laurens were with him; that all the others had gone ahead; that he was in command, and I need not fear. I walked about a mile after that, when I heard horses coming behind me, and I looked around and saw him, followed by part of the crowd; he is a heavy man.

Question. Who?

Answer. The captain; and he told me he had never ridden a mile so quickly before; they had started back to shoot me; this time he had to get off his horse to save me; he told them if they shot me they would have to shoot him; I had two more little incidents like that that afternoon with this party and others that joined them.

Question. Had you taken any part in the election in the town?

Answer. No, sir.

Question. Had you made known who you were?

Answer. I had told him who I was.

Question. But not in the town?

Answer. No, sir; I did not participate in any way, except to send word to Mr. Crews; I sent the names of those two men who were trying to drive the negroes away from the polls to Mr. Crews, but no one knew that; I sent a boy with a little note to tell him.

Question. Had you registered your name at the hotel?

Answer. Yes, sir; just as you have it here, only from Anderson.

Question. From what you saw and heard on the night previous to the day of the election, have you any doubt of a preconcerted plan to have a riot?

Answer. I never had any doubt about it; it is my judgment, founded upon what I have heard. I cannot think otherwise, and from the fact of that big gun there; the moment that was fired all the country was alive. After I got to Mr. Copeland's house men rode in, whose names I knew, from Newberry and Spartanburgh, and a whole company from Union. There were over a thousand men right there, within a quarter of a mile from where I was secreted. They came in squads to Mr. Copeland's house, and got their meals.

Question. How long did you remain there?

Answer. All night and the next day, until Friday night.

Question. In the conversation you heard on the night before the election was any purpose avowed to be accomplished by interfering with the election?

Answer. No, sir; I do not think there was any distinct purpose avowed. The result however, was discussed, and if they did interfere, what would be the consequence They discussed the probabilities of the troops interfering.

Question. Not discussing the result of the election, but the result as to the public peace?

Answer. That was it. They did not say anything about the result as to the ballot, but it was rather a general feeling of young and old mixed. The older heads said that such a thing would not do.

By Mr. VAN TRUMP:

Question. What thing?

Answer. Creating a row; that was what they generally termed it. They said, "You must not do it." The young men would say, "If it must come, it might as well come now."

Question. Might there not be several constructions put upon that language?

Answer. No, sir; not then. Then you could put but one construction upon it.

By the CHAIRMAN:

Question. In the conversation you heard on the night previous to this election, in which this sentence occurred, that "If it was to come, it might as well come now," what was apprehended as about to come? I understand you that expression was frequently used?

Answer. There is an inference there, of course; but to any one who knew anything about the country, or the circumstances under which those people came there armed, it is undoubtedly plain. I could not say that I heard any man say that he was going to fight.

Question. Was it a riot at the election that they apprehended was coming on, or a conflict between the black and white races?

Answer. It was a conflict between the two races. I had a long talk about that afterward with Mr. Copeland, who is a very conservative man.

Question. Was this apprehended difficulty between the white and colored races because of conflicting opinions on political questions, or from an antipathy of the races?

Answer. The political questions raised the antipathy. You know there was an election—

By Mr. VAN TRUMP:

Question. Do not assume it; just state the facts.

Answer. I know the fact, but how to state it I cannot tell.

By the CHAIRMAN:

Question. What did they say was to happen?

Answer. In the conversation they referred to a difficulty that had occurred in 1866; that it was two days after the row before the United States troops got there; that all of them had plenty of time to get away. I heard such talk as this. That was as to the probabilities of the troops interfering.

By Mr. STEVENSON:

Question. What seemed to be the general conclusion as to whether the troops would be likely to interfere with them?

Answer. They stated that the United States troops were not going to interfere. They stated that the troops were ordered there to report to the sheriff, and that the sheriff had control of the *posse comitatus*; that they were ordered to assist him, but could not assist him until they were called upon.

By Mr. VAN TRUMP:

Question. Did you understand from them that they considered themselves a part of the *posse comitatus*?

Answer. Yes, sir. I think positively that two-thirds of the white inhabitants of Laurens were on the *posse comitatus*, and over two-thirds. Two-thirds of them were stationed at Clinton, when they came through there Saturday night.

By the CHAIRMAN:

Question. You say the elderly men counseled that there should be no riot, saying that it would not do?

Answer. Yes, sir.

Question. But that the younger men were bent upon having a riot?

Answer. Yes, sir.

Question. If that was the conflict of opinion between the older and younger white men in the discussion, was any conclusion arrived at that you heard?

Answer. No, sir. The fact is that when this, which was designated the *posse comitatus*—that is, the whole county—came out after the riot, they took everybody, even boys.

Question. That was when the sheriff called them?

Answer. You lose sight of the fact that the sheriff and his *posse comitatus* were fighting before the court gave any order. When I went up behind the judge the sheriff was standing outside of the railing, outside of the bar. The judge told him to call out the *posse comitatus*. He said he had done so.

Question. Did you know that the sheriff had called out a part of this crowd who were fighting just before this?

Answer. Yes, sir. I heard him state it to the judge. He cannot deny it. When the judge ordered him, he answered he had done so.

By Mr. STEVENSON:

Question. Was any conclusion reached in that consultation which you heard through the plank floor?

Answer. Yes, sir. On the election night I heard them say that they had stuffed the ballot-boxes.

Question. But I asked as to the night before the election.

Answer. No, sir; except the one plan I told you of. But no conclusion as to whether there should be a general row.

By Mr. VAN TRUMP:

Question. That was the plan laid to get the country ballot-boxes?

Answer. Yes, sir.

By Mr. STEVENSON:

Question. You heard them talking the night after the election, and they said they had stuffed the ballot-boxes?

Answer. Yes, sir.

Question. Did you remain there the night of the election?

Answer. Yes, sir; in the same room. Tuesday night I heard the first conversation before the election; on Wednesday night I heard them talking it over in a jocose way.

By Mr. VAN TRUMP:

Question. Did you sleep in the same room Wednesday night?

Answer. Yes, sir.

Question. The night of the riot?

Answer. No, sir; that was on the day after the election.

By Mr. STEPHENSON:

Question. What was said about stuffing the ballot-boxes?

Answer. They told how they did it.

By Mr. VAN TRUMP:

Question. Told before the election how they stuffed it?

Answer. No, sir; the election was on Wednesday. The riot was Thursday, and it was on Wednesday night that this conversation happened. They had carried out their plan, and put the ballot-box back in the buggy. This was his statement. I do not know whether the ballot-box was crammed or not. I just give the statement I heard.

Question. Who was he?

Answer. I do not know. There was a crowd in there up stairs. He stated that they had crammed a lot of opposition tickets in the box.

Question. Did he say he had taken out a corresponding number of other tickets before he did that?

Answer. No, sir. I tried to find that out afterward, but had no means of ascertaining.

By the CHAIRMAN:

Question. Was this experience at Laurens the only time you have met these people? *Answer.* As to Ku-Klux, I have not come down to the most convincing proofs of them.

Question. What satisfies you of any connection between these people and the people ordinarily called Klu-Klux? They were not in disguise, were they?

Answer. No, sir; but I will tell you. It is such a long story I do not see how I can come at the real gist of the matter sooner. I went to Mr. Copeland's house, who took me in the same spirit as that in which that captain of the squad had protected me.

By Mr. VAN TRUMP:

Question. Under the same sign?

Answer. No, sir. He came to me. The captain had been to him. It was in the same spirit. I was lying beside the road. I had been several times wounded in the service

before this time. I have had seven balls in me, and was easily tired out. I lay there, and there was a man named Spencer they could not get to leave. Mr. Little and Copeland, whose house I stopped in, tried to get this man to go. He is a lawyer named Spencer, and swore he was going to shoot me anyhow. He cursed masonry and called me a galoot. Mr. Copeland had a pretty sharp talk with him; by the way, he is the most influential man about there. He said, "I know what you think, but I am going to shoot him." Finally I got up and told him, "If you want to shoot me, shoot; I have a wife and family, and you have, probably; if I am to be shot I can stand it, but it will not end here;" that shamed him. I went in the house and secreted myself about three hours, and Mr. Copeland went down to Clinton, where all the crowd had gone that had gone from Spartanburgh and Newberry. They were getting full of spirits and quarreling among themselves. He went down and tried to quiet them down, so he said.

Question. What day was this?

Answer. Thursday, just before dark; the day after the election.

Question. This was after the riot.

Answer. Yes, sir; but the same day. I left the court-house when the riot began, and had got down thus far, through these various scenes. He came back. They kept an open table there, and these young men were coming and going all the time. I kept close hid up stairs until evening. In the evening Mr. Copeland went away again. I wanted to put on as good a face as possible, and I took up a little child and went down stairs where his wife was and sat down by the fireplace. I was trotting the child on my knee and making the best of it, when two young men came in and said they had got Wade Perrin down at Martin's Depot. He was a member of the legislature, and was one of the chief men at Laurens—prominent among the colored men. I use their exact language, which was, they "had got him." They spoke to me and did not know me. I said, "Well." The old lady said, "That gentleman is a stranger." She was his mother, as I learned afterwards; and she said, "He is a stranger." It fretted me a little. They had been riding, and had their guns. They said, "We have got Wade Perrin." They were coming in and going out of the house all night; food was kept on the large table. They were talking about the fight—talk of no particular importance. The next morning I got up and came down. I had gone to bed about half-past two. When I came down stairs a man came up and inquired for me; it was Hugh Farley. Now, this is the only reason I have for thinking those men were Ku-Klux. Mr. Farley had got into a trouble with his hands in 1866, and I straightened it out; that was on Edisto Island. He is a perfect gentleman; was a confederate officer, and knew me well. I did not know he was there. He said he was sorry to see me there. He treated me very kindly. I told him the whole of the circumstances, as I have told you. He thought it was pretty rough, and said, "I will see you out." While he was there talking to me this man Spencer, who had been going to shoot me anyhow, came up and apologized to me for being so rash, and said he had thought I was a State constable, and if he had known I was a United States officer he never would have done so; though he had done so after I had told him I was a United States officer. I shook hands with him, of course. Mr. Farley went back about ten miles and got my horse for me to go away. I had observed enough of him while there to know that he had some influence with these riders. They were constantly coming and going. I had watched him, and I saw that he was an influential man. I said to him, "Farley, I do not know about this. I do not doubt your intention to see me straight down to Newberry; I know your word is good; but what can you do if these men undertake to put me up in any way?" He said, "They are not going to touch you." I took Mr. Copeland and Little to one side. They were masons; Mr. Farley was not. Said I, "Can I trust myself in that man's hands?" They both told me I could go anywhere I pleased, to Newberry or Laurens, with him. They gave me their word for it, and that was sufficient. This is the same Mr. Little I referred to as having saved me. He was back there, and stuck pretty close to me. He would be coming and going sometimes, and was gone away two or three hours or more at a time. We started about dusk from Mr. Copeland's for Newberry. I got to Martin's Depot, and there saw Wade Perrin's body lying by the road dead, with his pockets turned inside out. We stopped and went into a doctor's—I think his name is Francis—and asked him to send for the coroner; which he promised to do. Then we went on.

By the CHAIRMAN:

Question. Had you known Perrin?

Answer. I knew him by sight. I had seen him here in the hall of the house of representatives, but I was not acquainted with him. We met five different squads stationed along the road, numbering from twenty to forty men. At one place we stopped at a well and there were forty or fifty. At the Clinton Corners there were as many as one hundred. I would stop short about a gun-shot distance and Mr. Farley would ride ahead and talk with them, and we would then come on. In that way we went on to within twelve miles of Newberry and then stopped at Dr. Gerry's all night. Mr. Farley

gave me his revolver. We got there about twelve o'clock or a little before, and staid there until morning, when we went on to Newberry. Before getting to Gerry's, I noticed in a field some lights; this was in the night; we were riding along at the time talking over old times and the different places where we had been, he on the one side and I on the other, during the war. We were pleasant enough together. I noticed that light, and I said, "Farley, you are an old campaigner and know that that is not in a house." He said, "Yes, it is in so and so's house." I said, "No, you are mistaken." He rode on ahead perhaps six or seven yards, and as I got near the open field and right abreast of this light a rocket went over the road. I said "I told you that was not in a house." "What?" said he. "That rocket; did you see it?" said I. He said, "No; that was only a meteor." I noticed that the subject was disagreeable to him, and as I was not really my own master I dropped it. But I solved it to my own satisfaction when I met the crowd at Newberry, the same crowd who were then on the way down. I got to Newberry the next morning, and a good many of these troops were there. I knew them as soon as I saw them. They sat around with pants in their boots and with their revolvers strung. With them all sitting around there I felt no safer than before. I told Farley, "Here is the worst place I have struck yet; here is the sheriff of Newberry, a man that I had in jail in Charleston for murder fourteen days; here is Hamilton, a man that I have run for thousands of miles as a bushwhacker when I was on duty pursuing bushwhackers constantly."

Question. Was that when you were engaged as a United States officer in pursuing bushwhackers that you had arrested these parties?

Answer. Yes, sir; in August, 1867. I had that sheriff arrested then, and General Sickles put him under \$2,000 bonds and kept him fourteen days in Charleston. It was for murder.

Question. Go on with your story. You had said that you felt insecure.

Answer. Yes, sir—from these facts and seeing these fellows around me. Many of them I recognized as having seen them at Copeland's house. It seems that they had passed me in the night. As soon as I reached the town Thomas M. Paysinger lifted up his finger at me and said, "There is that God damned Everson." He used to be a scout in the confederate army. He walked right up to me and said, "There is that God damned Everson, he arrested me in 1867, and I offered him \$5,000 security to let me go and see my wife, and he refused, and I never will forgive him." Those were his words, and they were true. I had done so and could not help it; for General Sickles gave me a black list, and orders that if I got any of them I should not let them go; when he said this, the whole mass of those young fellows sitting around on the steps—this bushwhacking, ill-looking crowd—raised up and walked around the horse. I rode over and said, "Paysinger, hold on; I have rode a good ways and I will talk with you." I got off and went down to the coroner's office, did not go in, but stopped as if I was looking after my horse, but at the first chance I struck off for the cars and just caught them. The cars were going up and I went on toward Greenville until I struck the down train, and on it I met three escaped State constables and stopped them going down, for I knew those men at Newberry would get them. I had left Mr. Farley. I found Mr. Owens there that I thought was dead. We locked ourselves in the privy of the mail car and came down the road until we got nearly to this town and then I came out.

Question. Who is Mr. Owens?

Answer. Senator Owens.

Question. You say you staid in the water-closet all the way down?

Answer. Yes, sir. People were coming and going. I got the mail agent to tell me everything, when he would go out and come in. When we got down below Frog Level, which was the only bad place, we came out, and Mr. Farley was there and asked where I had been, and I told him. But I must retrograde. I had promised Farley that if he would see me safe through, I would come down here and go before the executive committee of the reform party and make a statement, but I had to do things that a man would not ordinarily do. I went back on my word, because I could not do such a thing. I think, however, that I had no other way of saving my life. I know it, and so I have never been before that committee, and I never will go, because I cannot tell them what he wanted me to tell. I think it was pretty well understood why, and I do not think they will ever broach it.

By Mr. VAN TRUMP:

Question. I do not understand that.

Answer. Well, sir, Mr. Farley is probably the head of the Ku-Klux.

Question. What was it you had engaged to go before the committee and do?

Answer. To make a statement in favor of the necessity of a row up there; to state that no one was to blame in the matter. They were afraid of martial law being proclaimed there right off.

Question. Did you make that arrangement with Farley before you came down here?

Answer. Yes, sir; it was one of the conditions on which he was to see me through.

Question. Did you go before that committee?

Answer. No, sir; I could not make such a statement; you can put whatever weight you want to upon it; I thought that the emergency of the time was sufficient for me to promise almost anything; I told Mr. Siebels here about it; we are very good friends.

Question. He is secretary of the reform party?

Answer. Yes, sir; I have told him why I did not do it, and I do not think he blames me for it.

By the CHAIRMAN:

Question. Did you mention the facts to him?

Answer. Yes sir; I told him I could not make any such statement as was wanted.

By Mr. VAN TRUMP:

Question. How came you to tell Mr. Siebels that?

Answer. Mr. Siebels knew me; you might call it from a sense of honor.

Question. If that was from a sense of honor, why did you allude to it at all?

Answer. I wanted to tell the whole story.

Question. I do not ask as to your telling it here, but to Siebels?

Answer. I have not known him a long while.

Question. This nice sense of honor did not prevent you from telling him you had promised to do what you would not do?

Answer. No, sir; not that exactly; the night I came here this committee came right to Governor Scott's house; they knew I had come there, and came at once to see me in the evening; I would not see them, but went up stairs.

By the CHAIRMAN:

Question. Do you say they came at once?

Answer. Yes, sir; right in the edge of the evening.

By Mr. STEVENSON:

Question. Did Mr. Farley come with you?

Answer. Yes, sir; he came here; I saved him from being killed; one of the State constables was standing with a pistol to shoot him; one of his friends had been killed and he intended to kill Farley, and I have not the slightest doubt that the constable would have killed him.

By the CHAIRMAN:

Question. What country did you traverse after leaving Laurens before you reached Newberry, through which these men you had seen were stationed?

Answer. It was about thirty-two miles.

Question. At how many points were armed men stationed?

Answer. At Martin's Depot, and at Clinton, and I do not know the names of the places; there is a third station, an old mine; there were certainly five places that I can bring to mind.

By Mr. VAN TRUMP:

Question. Were not these men evidently men returning from Laurens?

Answer. No, sir; they were stationed on the road—mounted.

Question. How do you know they had not been to Laurens?

Answer. I do not know but that they might have been.

By the CHAIRMAN:

Question. Through how many counties did you travel, if more than one?

Answer. They adjoin.

Question. How much of these thirty-two miles was in Laurens County?

Answer. Not more than six or seven miles, I think.

Question. Would the presence of these men through these various regions be accounted for at that time by their being on their return from the election in Laurens, or in the counties where they belonged; how do you account for their being at those places?

Answer. The men were stationed there.

Question. Were they remaining there stationed?

Answer. Yes, sir; some of them had their horses at the fences eating forage—the same as we did in the army when out foraging.

Question. You say there were men from Union and Spartanburgh?

Answer. Yes, sir.

Question. How do you know?

Answer. I know the men's countenances; I have been through there until I know the people.

Question. Through what other counties did you pass from Laurens to Newberry County?

Answer. From one county to the other; they adjoin. You see I was ten miles toward Newberry from Laurens Court-House when I started on Saturday night to come through on horseback.

Question. At which point were these men from Union and Spartanburgh?

Answer. They were at Clinton. They came to the house for food.

By Mr. STEVENSON:

Question. Is Clinton a point where two roads cross?

Answer. Yes, sir. I saw a man named Hayne Williams from Spartanburgh village; he was shooting in Laurens before I left the town. I saw him shooting at the constables who were running down back of the building. He was shooting as fast as he could shoot and was the best picture of a bushwhacker I ever saw, crouching, running along, and firing. I knew him by sight at once. He was going sidewise, as it were—bending over to shoot, drawing down.

By the CHAIRMAN:

Question. I desire to know how many squads were stationed along there.

Answer. I will say five for certain. I could go there and locate the spots.

Question. Had there been any disturbance at the polling places in Newberry on account of the presence of these men?

Answer. No, sir.

Question. Were there other polling places in Laurens besides the county town?

Answer. Yes, sir; those young men who came to Laurens, that I mentioned, had been driven out of Clinton, which was a polling place. There were three polling places in the county town, Laurens, and there may have been others. I did not visit the polls. I staid around the hotel.

Question. You have referred to an explosion in the court-house yard as connected with the coming of persons from the country; to what distance could that have been heard?

Answer. It was as loud as a 12-pounder.

Question. But it would not reach Spartanburgh from Laurens?

Answer. No, sir; I do not think it would, but there is a regular system of runners here, you know.

By Mr. VAN TRUMP:

Question. Do you know it?

Answer. Yes, sir, I know it.

By Mr. STEVENSON:

Question. They might communicate in that manner, one explosion being heard part of the distance and then another to carry the signal on?

Answer. Yes, sir.

By the CHAIRMAN:

Question. If you have any knowledge that you can give as to how intelligence of this kind is communicated, state it.

Answer. In my experience as assistant assessor and gauger, I have been headed by men; I have caught them; I have run across their tracks running between one and another post. Why, they started from Montgomery, Alabama, and ran all the way down to Beaufort, South Carolina. They used to run regularly. They had a complete chain.

Question. Was that for any other purpose than opposition to the revenue collection?

Answer. No, sir; but—not that I know of.

By Mr. VAN TRUMP:

Question. You said, "No, sir; but;" what were you going on to say?

Answer. I do not remember now.

Question. I judged from your manner that you were going to say something else.

Answer. Nothing that I can think of; it could not have been of importance.

By Mr. STEVENSON:

Question. As to this railroad ride down to Columbia; you came from Newberry how near to this place?

Answer. About five miles this side of Frog Level was where I came out of concealment.

Question. Is that in Newberry County?

Answer. Yes, sir.

Question. You saw men along the railroad track?

Answer. Yes, sir; at Newberry all of those young fellows that went up in the town when I came in came down to the depot.

Question. How between there and this other place that you named?

Answer. I did not see them, but the mail-car agent came in and reported to me that they were there. I did not come out of concealment. Silverstreet was one spot where he reported to me that there were fifteen, and he told me to keep close, and to keep

quiet. That is above Newberry, and was when we were going up to meet the other train; that is, toward Greenville.

Question. In this chase after you from Laurens to the house about ten miles from there, where you took refuge, you say they four times attempted to shoot you?

Answer. Yes, sir; they drummed me with the ends of their guns on the head until my head was as sore as a blister.

Question. Would they ride up on you?

Answer. Yes, sir; and they would say, "come here, you damned galoot, I will guard you to the bushes." That is a common phrase with them. I knew what they meant; it was to shoot me.

Question. What is meant by galoot?

Answer. It is a common phrase or term here—a term of reproach.

Question. You say they set you up to shoot you?

Answer. Yes, sir; they drew me up. They were going to shoot.

Question. The whole squad?

Answer. A good share of them.

Question. How did you prevent them?

Answer. This man did it. He got between them and me—and finally he got off of his horse.

Question. Did you tell them you had been in the army, and had been wounded?

Answer. Yes, sir.

Question. What did you say?

Answer. I told them I could be shot. I first made a fair statement of who and what I was, and what I was about. They would not take that statement, but declared that I was a State constable, and insisted upon it. I told them I was not. Of course Mr. Little was bound to believe me and did believe me; but they would not take any such statement, and were intent on shooting me. They dragged me off once or twice out of his care. They took me out four or five yards. They would take me by the collar and start the horse into a trot, and take me right out from him for a moment.

Question. Did you tell them your record in the army?

Answer. Yes, sir.

Question. What did you say?

Answer. I told them I could be shot, but they seemed intent not to believe me. I told them if they only wanted my life they could shoot me; but I did not want them to shoot me in the back.

Question. Were you standing in front of them?

Answer. Not standing, but going along the road, and I could hear them cocking their pieces; and it was not a comfortable feeling to be walking in front of them.

Question. Did you tell them you were not armed?

Answer. I was armed; I had a little revolver that I carried clear through with me; a little Derringer.

Question. Did you at any time surrender yourself to them; open your breast and tell them to fire?

Answer. Yes, sir; I opened my coat once. When I thought there was no hope at all I pulled my coat open, and said, "You call yourselves South Carolina chivalry to shoot an old soldier in this way. I can take it." That was what brought Mr. Little off of his horse.

Question. Was that after you revealed yourself to him?

Answer. Yes, sir; but he had not dismounted before that. I never testified before in my life, and I make poor work of it. You must ask me questions.

By Mr. VAN TRUMP:

Question. You live in Columbia, you say?

Answer. Yes, sir.

Question. What is your position?

Answer. I am local editor of the "Union" newspaper. I am in charge of the paper at present, while Mr. Carpenter is away.

Question. Is it a pretty decided republican paper?

Answer. They call it so. It is considered a conservative paper up North. They are writing me letters all the time, thinking that I am going astray.

Question. Is it recognized as a republican organ?

Answer. Yes, sir; we are republicans, I hope. I am not radical at all. I am not a radical republican, and never have been; but I believe in fair play.

Question. Were you an officer in the United States regular army?

Answer. No, sir; not exactly that. I was commissioned by Abraham Lincoln in the veteran reserve corps, in 1863.

Question. Had you been in the army before that?

Answer. Yes, sir; I was mustered in on the 16th of April, 1861.

Question. You were not in the army before the war?

Answer. No, sir; I went out as a private soldier.

Question. Where from?

Answer. Dedham, Massachusetts, Norfolk County.

Question. You say you were assistant inspector general for three years?

Answer. No, sir; eighteen months. I was an aid for three years.

Question. During that time you were bringing a class to justice called bushwhackers?

Answer. Yes, sir.

Question. Do you mean to be understood that the bushwhackers then, and the Ku-Klux now, are the same thing in their organization?

Answer. In organization, no, sir. The bushwhackers were a curse to the whole people—outlaws to everybody. When they got out of stock, horses, or mules, or sheep, they would steal from the whites as well as anybody else, and from everybody.

Question. You were the inspector of the Freedmen's Bureau?

Answer. Yes, sir.

Question. Under General Howard?

Answer. Yes, sir.

Question. Did you get your appointment from General Howard?

Answer. Yes, sir.

Question. You got to Laurens on the 17th of October?

Answer. Yes, sir.

Question. What was your object?

Answer. Going across from Union to Anderson. I had been after a horse I had bought of Colonel Baker, and was taking him across.

Question. You had no object in being there during the election?

Answer. No, sir.

Question. Why did you stay there during that time?

Answer. Because I had a conversation with Colonel Smith, an old army officer, and a man of discretion, and we did not consider it safe for me to go across.

Question. What was the distance from Laurens to Anderson?

Answer. About forty miles.

Question. Is not Anderson considered a quiet place?

Answer. Yes, sir.

Question. Is there an unquiet portion of country between?

Answer. Yes, sir; there is a portion between that has a bad reputation.

Question. What is the name of that country?

Answer. It has no particular name; it is a part of Anderson and Laurens Counties. They adjoin. Anderson is very quiet, except two places; one is called Bushy Creek, and I would not say that is not quiet; but I have had two very tough scrimmages there with men, in trying to enforce the law against distillers.

Question. You were on the way to Laurens on the night of the 17th; there you met and saw divers companies of armed men?

Answer. Yes, sir; not companies, but little bands.

Question. Going towards Laurens?

Answer. Yes, sir; coming in from the cross-roads.

Question. Any negroes among them?

Answer. No, sir. I did not see a negro armed while I was there.

Question. Not at Laurens?

Answer. No, sir; not in going in.

Question. You say you did not see any at Laurens?

Answer. I saw this company over at Mr. Crews. I know it was a subject of conversation between Colonel Smith and myself. We had had a talk about Crews. He had told me some things.

Question. Are you and Mr. Crews on intimate terms?

Answer. Not particularly intimate.

Question. Is he a man that an honest man would desire to have very intimate terms with?

Answer. His tastes and mine are a little different. I am not ready to indorse him in everything.

Question. Is he not one of the worst men in this country?

Answer. That is a question I cannot answer.

Question. I speak of him as a citizen of the State. I ask you whether Joseph Crews is not one of the most troublesome men in South Carolina?

Answer. A man may have a belief and not always express it.

Question. What is your opinion from the public sentiment?

Answer. I have kept pretty much out of politics here.

Question. I want your answer right squarely as an honest man.

Answer. I do not think Mr. Crews is—I know it is of no use to evade the answer—in his political life, if it has been reported to me correctly—I have not seen him, but if it has been reported to me correctly, Mr. Crews has done what I would not have done.

Question. If what is reported to you is true, do you not think him, in the state of

society existing in South Carolina, one of the worst and most dangerous men that can be in it?

Answer. It is hard to answer a question of that nature without a chance to explain.

Question. You may explain.

Answer. If there is no better way of expressing it, I believe in pouring oil on all these difficulties, and would probably go as far as any man. There is a step beyond which a man cannot go without sacrificing his honor and believing his whole life. If Mr. Crews has been reported to me correctly in some of his political proceedings, it was what I never would do and do not believe in. I will instance one.

Question. I do not care to consume time. I only want to know from public report whether Mr. Crews is not a dangerous man in the present condition of society here?

Answer. I do not think he is now.

Question. Has he been?

Answer. I think if he had not said a great many things along about election time that were ill-advised and indiscreet, society would have been better off. I must say, too, that I do not think him dangerous, for he has not much influence.

Question. Have not bad men influence in excitable times?

Answer. Not when well known.

Question. Has he no influence among the negro population of this country? How was it last year during that exciting election?

Answer. I think he did have.

Question. You got to Laurens on the night of the 17th—two days before the election?

Answer. Yes, sir.

Question. And without any business there you staid over until the 20th?

Answer. Yes, sir.

Question. Did you think that was a very quiet place to stay two or three days on your journey?

Answer. No, sir; but I thought it was much safer than to travel alone between there and Anderson.

Question. According to your own statement, it would have been safer to have gone back to Columbia?

Answer. A portion of the way between Anderson and Laurens is the worst portion of the country.

Question. But do not you think that at that time the very place you were in was the worst?

Answer. I think if I had sat still in that court-house I would have used the soundest judgment.

Question. But you were not quite still?

Answer. No, sir.

Question. You took a part?

Answer. None.

Question. You sent a note to this infamous man, Crews?

Mr. STEVENSON. I think that expression is not warranted by his testimony.

The WITNESS. I do not say Mr. Crews is infamous. I do not think he is infamous.

Mr. VAN TRUMP. I have said it and you need not answer that part of my interrogatory.

Answer. I do not wish to be understood as saying such a thing. I think he is an unscrupulous politician, and did things and made remarks that were ill-advised, if he has been reported to me properly.

Question. Now you guard your expressions in regard to Crews?

Answer. Yes, sir; because I don't want them misunderstood.

Question. You did take some interest in that election?

Answer. No, sir.

Question. Did you not say you wrote a note?

Answer. Yes, sir.

Question. What were the contents of that note?

Answer. That I had seen these men intimidating voters, and I had directions to prevent that.

Question. Then you were on a political mission?

Answer. No, sir; but if I had been passing through here and had seen two men trying to kill two of their neighbors I would have interfered.

Question. But you were there for a political purpose?

Answer. No, sir; none whatever. I went to Union to get a horse. I do not know that I thought of the election. I started with the horse to go about my duties. I had been hurrying on, and I got to Laurens, and Colonel Smith and myself had a talk about the country and about these men coming in, and we came to the conclusion, as I wrote to my wife, in a letter from Colonel Smith, that it was not safe for me to go across.

Question. You did not go there with any political object?

Answer. I state emphatically I did not.

Question. Whatever your purpose was, you did take some action in regard to that election?

Answer. No political action.

Question. You do not deny that you did write a note and send it to Crews, stating that voters had been interfered with.

Answer. I did that. I sent him two names that I took. I remember now that I wrote to Mr. Crews a pencil note; that there were a hundred men to come from Clinton. I remember that now. That was a separate thing—another note.

Question. You can now recollect that you wrote two notes to Crews?

Answer. One was simply a copy of two names; it was hardly a note.

Question. I understood you to say a minute ago that you were acting under directions. Explain that expression.

Answer. It was generally understood that all the United States officers would—

Question. Were you in the service then?

Answer. I was in the revenue service.

Question. You do not mean an officer of the Army?

Answer. No, sir—that if we saw anything of this kind going on that we would report. Any good citizen ought to do that.

Question. What had the process of an election going on to do with the collection of the revenue in the country?

Answer. None at all that I know of.

Question. You revenue officers had as part of your duties to see to the politics of the country?

Answer. No, sir. I did not fish after my appointment. It was not political, and I was glad when it was over with. I do not thank the United States for any appointment it has ever given me, for I have earned it. I did not ask for that appointment. I was living here most of the time.

Question. Explain what you meant in saying that in sending those notes you were acting under directions.

Answer. I will explain. If I were in your home and saw you going to the polls and some man tried to drive you away, and the attorney general or the President had directed that such cases should be prosecuted, I would report it, no matter who the party was. That, I think, is the duty of a citizen.

Question. To what direction did you allude; to what specific direction?

Answer. To no specific direction, except—

Question. Except what?

Answer. Except that; except in conversations between the assistant assessors; sometimes the marshals requested us to do so.

Question. Your officer in chief, then, gave you directions?

Answer. No, sir.

Question. What did he do?

Answer. Nothing. He wrote us a letter not to mix ourselves up in politics.

Question. Then your directions were contrary to what you did that day?

Answer. No, sir; I did not mix myself in politics.

Question. That is your opinion. We will put our own construction upon these notes. You did write these notes?

Answer. Yes, sir, I did it, and I have explained it to my own satisfaction. I felt it my duty when I saw those things to set down those two names.

Question. Could you not think of any other or better man than Crews to communicate it to?

Answer. I did not know any other except Colonel Smith.

Question. I thought you said you were pretty well acquainted in Laurens?

Answer. No, sir. I knew the faces of many men in Union and Spartanburgh, but in Laurens I knew as little as any other part of the State.

Question. Did you know any other white republican there except Crews?

Answer. No, sir. I think I knew a Mr. Foulk, and I knew a young man who was killed, Mr. Powell; but I had no conversation with him at all.

Question. At the time you wrote the first or last note to Crews, did you not know that he was taking charge of the negro men on that day?

Answer. The first note that I wrote to him was about the hundred men coming from Clinton. I overheard it. That was the night before the election. The other was the next morning; I was sitting at the hotel. I saw a man go up and push a negro away, and pistols were drawn.

Question. Drawn on both sides?

Answer. No, sir; not on both sides. I did not see a negro there that had a pistol. The only armed negroes that I saw at all were when looking from the camp across to Mr. Crews' house, and I could not see the whole company, only an edge of them. I did not see an armed negro at the polls at all, or see a pistol drawn by white men, except this in the morning, until the shooting began; but they had muskets or Henry rifles; the citizens of the town had them.

Question. Was it not a fact that the public mind of that country, both white and black, was in such feverish excitement that the fall of a pin might have set the whole country in a blaze?

Answer. That is just my idea of it.

Question. Was it not a fact that some time before that election Governor Scott armed almost the whole negro population of South Carolina?

Answer. And it is a fact that I wrote him a letter objecting to that policy.

Question. I respect you for that.

Answer. But it is a fact I did so and I am a republican too.

Question. Still the fact is that the governor did arm the negroes?

Answer. He had done so; that I did not think was proper, but I did not mingle in politics.

Question. Still, answer my question; is it not a fact that he refused to furnish arms to the white people of South Carolina?

Answer. I think arms were refused to arm white companies. I think there was one company at Walhalla.

Question. Was not that the most terrible act a chief magistrate could have done in such a state of excitement—to arm one party against the other?

Answer. I think it was very impolitic. If I had been governor I would not have armed the blacks, nor allowed the whites to have arms; but if the whites ship in muskets what are you going to do?

Question. Was that before the negroes were armed?

Answer. Yes, sir; they were armed in 1868.

Question. You are justifying the governor, then?

Answer. No, sir; I would have enforced the law and disarmed them, and I would not have armed the blacks. I do not believe in arming the blacks, because they do not know how to use arms.

Question. You say colored people were coming into Laurens the night before?

Answer. Yes, sir.

Question. In equal numbers with the whites?

Answer. They were in squads; I could not tell how many.

Question. Was there any more necessity for their coming in squads than for the whites?

Answer. There was no more necessity for their coming in then than that they did not own horses and had to come a long distance.

Question. You say, Major, that you heard various discussions between the white people there at that time, and particularly between the old and young white people, as to the apprehended difficulties the next day, which was election day?

Answer. Yes, sir; I heard it discussed. You know what the country talk around the hotel steps is. And again I heard it right over my head.

Question. But you heard no distinct, unequivocal allegations that they were determined to have a fuss next day?

Answer. No, sir; nothing further than, "If it must come it might as well come then."

Question. Had not the whole public mind of South Carolina apprehended a difficulty from these armed negroes; and was there not that feverish condition of public opinion in South Carolina, especially when they had to come together at the polls?

Answer. No, sir; I do not know that I am aware that there was, unless there was an outbreak on the other side to cause it. I do not believe that any collection of armed negroes would hurt anybody unless they were fired into.

Question. Were there not apprehensions through South Carolina, especially as the election day was approaching, that there might be difficulty where these two races had to come together to exercise a common right?

Answer. Yes, sir; the fact of sending troops showed that.

Question. Was it unnatural for these men to talk about what might happen next day?

Answer. No, sir; but I see where you and I would form a different opinion. My experience around this State is from observation. I know the nature of those young men.

Question. The young men you supposed to be Ku-Klux?

Answer. I did suppose that.

Question. You suppose, I see, that all that immense gathering of young men were Ku-Klux; technically and professedly among each other?

Answer. No, sir; not all. You can call them what you please; but I am convinced that there was some understanding. Coming with Mr. Farley from Mr. Copeland's house to Newberry I was convinced of that.

Question. You think because Mr. Farley seemed to have so much influence over these men that they must have been Ku-Klux and he one of them?

Answer. That is my impression, coupled with the statements of my two friends that I could go anywhere in Laurens County with them.

Question. Was not Mr. Farley a colonel in the confederate service?

Answer. No, sir; an aide-de-camp.

Question. Was he a gentleman well known?

Answer. Yes, sir; on the coast, but he was a coast man, and had moved up there within a year.

Question. Was he understood to be a southern man?

Answer. Yes, sir; out and out.

Question. What is his age?

Answer. About my age; about thirty-three.

Question. The influence he seemed to exert as a confederate officer, over these young men, impressed you with a strong conviction that that was the result of this organization of the Ku-Klux?

Answer. Yes, sir; that is my impression, and I wish Mr. Farley could be present in such an examination as this. I wish he could hear it. I do not think he can deny it.

Question. You gave the precise expression of these young men; that, "If it is to come at all, it might as well come now as at any time?"

Answer. Yes, sir.

Question. Did they not allude to the conflict between these two races, growing out of these external circumstances?

Answer. The whole tone of the conversation there was—but I speak too fast—the whole tone of the conversation was that way.

Question. How was it?

Answer. I have to think a moment; it is not on my tongue's end. I say that after I got to Mr. Copeland's, and when I left with Mr. Farley, and came down to the road, we had a long talk and talked about the conflict of the races. He did not think they would ever live together unless they were colonized. He has that idea; another man may have another idea.

Question. You have a different one?

Answer. Yes, sir, somewhat. There is a conflict of races, and they look at this thing now, and this will be quiet for a year or so and then break out again.

Question. Might not these young men in these expressions have meant the inevitable conflict of races under the policy of the Government then going on?

Answer. In that locality? No, sir; I think they referred to what I have stated; have no doubt of it.

Question. Were the United States troops stationed there?

Answer. They left the morning after the election; the order came on election day.

Question. How long had the troops been there?

Answer. Only a short time.

Question. The time when you heard this conversation was before the troops left?

Answer. Yes, sir.

Question. They were there during the day of the election?

Answer. Yes, sir; they left early in the morning of the day after.

Question. When this conversation occurred, which you overheard the evening before the election, how many troops were there?

Answer. One company of probably sixty men, with Colonel Smith.

Question. Fully equipped?

Answer. Yes, sir. When that row took place at the polls where the State constables were, the men were ordered to fall out, but with equipments on. He did not want to bring on the conflict with the troops.

Question. While you were lying in this room that night, you heard some men lay a plan to capture the ballot-box in the country?

Answer. Yes, sir; I heard it the night before the election.

Question. A squad were to go out in a wagon to meet the Irishman who was to bring it in?

Answer. Yes, sir; they called him the Irishman.

Question. Was he the man who was entitled to have charge of the ballot-box?

Answer. Yes, sir; I suppose so.

Question. And the next night, while lying in the same room, you heard somebody say they had done this very thing?

Answer. Yes, sir; that they had stuffed the ballot-box.

Question. Do you know the Irishman's name?

Answer. No, sir; I heard it. Mr. Van Trump, you seem to have an idea that I know more of that election than I do. I tell you plainly that I know very little about it. I was going across the country and happened to go there and heard the discussion. I am now convinced that it would have been better for me to have sat still in that court-house.

Question. You misapprehend me. I do not suppose you know more of this election than you have stated, but I may suppose that you have wrong opinions about it, and I may desire to correct them.

Answer. I may have misapprehended. I got into a tight place. There are two peculiarities about it—my masonic intercourse with this man, and my promise to Mr. Farley. I do not think that Mr. Farley himself could blame me to-day for not fulfilling it, because the circumstances were such that a man had to do it.

Question. What time in the day, and what day was it that this colored man came out to the camp and said there was going to a fight?

Answer. I think it was along in the afternoon. It was after the disturbance in town.

Question. Was it before the election?

Answer. It was on the election day. The poll was closed in the town entirely.

Question. You went out to camp about 10 o'clock in the morning?

Answer. Yes, sir; after breakfast on election day. It is right outside of the edge of the town.

Question. And some time between 9 or 10 o'clock, or 11, a negro man came out and said there was going to be a fight?

Answer. Yes, sir. I was sitting outside of the tent in a chair, looking about.

Question. Who was this man Tyler?

Answer. A State constable; a son of Dr. Tyler, of Ohio.

Question. Of what part of Ohio?

Answer. Of Napoleon or Toledo.

Question. Is Napoleon where Governor Scott came from?

Answer. I believe so.

Question. How did you know that Tyler was drawing up the negro troops before Crews's house?

Answer. I could see the edge of them from the camp; and I could see the commotion among the mounted men.

Question. Were those negroes armed?

Answer. Yes, sir.

Question. Then you and Colonel Smith went down to town?

Answer. No, sir. He wanted me to stay in the camp. I had had some experience, though I was not then an officer of the Army. I went down and had this conversation which he reported to me.

Question. Were you present when Colonel Smith went up to Tyler and asked him what he was going to do, and Tyler said he was going to fight?

Answer. No, sir. Colonel Smith told it, and I have heard it corroborated.

Question. And then Colonel Smith rode up to the white men and the thing was hushed?

Answer. Yes, sir. Colonel Smith says he rode up and said to Tyler, "I have no authority to order you to put your arms away;" and Tyler says, "If it is your advice, you are an older soldier than I am; but if they fire into me I shall fight." Colonel Smith told me that, and Tyler has told me the same thing.

By the CHAIRMAN:

Question. Did Colonel Smith tell you what he said to the white men?

Answer. Yes, sir; that they should not fire, and they promised not to fire. Tyler was a brashy, fiery young fellow, and he would have fought until he died.

By Mr. VAN TRUMP:

Question. At the time Colonel Smith told you what took place, was it not evident that both sides were preparing for a difficulty?

Answer. Yes, sir; it was like a crust, and you could prick through it. Just about the same state of affairs as the 4th of July in Charleston, 1866. There was a general feeling of insecurity and that the least little thing would provoke a riot. That day, however, the troops controlled them.

Question. Notwithstanding all these frightful manifestations of feeling, whether by the influence of Colonel Smith or something else, that night was quiet?

Answer. Yes, sir; tolerably so.

Question. The people went home?

Answer. They did not all go home; there was a very large crowd there; to guess at it, there were four thousand people there.

Question. The next morning you were on one corner of the public square?

Answer. Yes, sir.

Question. And as the very pivot point and commencement you heard the explosion of a pistol?

Answer. I expected there was a row then.

Question. You do not know whether it was done voluntarily or not?

Answer. No, sir; the court-house was between me and it.

Question. Whatever your impression, yet, if respectable men will testify that that pistol exploded from falling on the ground or on the pavement—

Answer. You are speaking of the first shot, and I had no means of knowing how it was fired. I purposely kept myself away from the constables. I felt annoyed in the barber-shop when they came in there. I knew the feeling against them. I felt like a cat in a strange garret, and did not want to be mixed up in the thing; when this thing began I felt that way.

Question. As we had fixed a time for adjournment, and that time has arrived, I will not go over your hair-breadth escapes in detail.

Answer. It does not amount to much perhaps.

Question. I have had you explain what is very natural in regard to this influence of Farley. How do you know but what his influence over these men was that very sign between you and him?

Answer. I have already stated that Farley was not a mason, and that is the reason I took the other two men aside. It was Mr. Little and Mr. Copeland who were masons; I stated that Mr. Farley was not a mason, and that I took Mr. Copeland to one side.

Question. How do you know but that the sign which enlisted the sympathies of Copeland and Little influenced these men who were about doing you an injury?

Answer. Masonic?

Question. Yes, sir.

Answer. I know better.

Question. Why?

Answer. Because I know, in the first place, that Mr. Farley was not a mason; in the second place, that the young men in that crowd were not masons.

Question. How do you know?

Answer. I know it from many different ways.

Question. Let us hear how you know?

Answer. That is what I do not propose to tell. I know that some of them could not have been.

Question. They were not of age?

Answer. They were not of age.

Question. Some of them, but how of others?

Answer. Mr. Farley is not a mason; and I have visited about all of the lodges in the State.

Question. How do you know that most of those young men were not masons?

Answer. I did not state that. I stated that there were young men there who could not have been masons.

Question. Undoubtedly, if they were under age; but can you assert under oath that there were not young men there who were masons?

Answer. No, sir; but I can say that Mr. Farley was not.

Question. That is evading the question, allow me to say. I ask if it is not possible that some of the young men in that crowd were masons?

Answer. No, sir; I will state what I think; I have already stated that there were young men in that crowd that it was impossible could have been masons.

Question. That is not an answer. Might it not have been that the masonic influence you exerted upon Copeland had its influence, by some process which you do not know, on some of the company, or men desirous of injuring you?

Answer. I will tell you; when I was first taken, I think that I made the statement that I succeeded in capturing the captain of the guard, and he was the only mason in that crowd.

Question. How do you know he was the only mason?

Answer. I have his word for it.

Question. Who was he?

Answer. Captain John W. Little, of Laurens; I have his word for it. I have never seen him since, and never saw him before.

By Mr. STEVENSON:

Question. Did the men call him "Captain?"

Answer. No, sir; he told me he was the captain. Squads are all organized.

Question. How did they address him?

Answer. They called him "Little," I think. But he is generally called "Captain Little."

By Mr. VAN TRUMP:

Question. You do not jump from that to the conclusion that he is captain of a Ku-Klux company?

Answer. No, sir; but his statement to me was that he was captain of a company.

Question. What company?

Answer. That company.

Question. The company then present?

Answer. Yes, sir.

Question. They were unmasked men?

Answer. Yes, sir.

Question. Do you want this committee to believe, and the public when the testimony is published to believe, that because he was called "captain" he was captain of the Ku-Klux?

Answer. It makes very little difference to me what you believe; I know or I think it is going to work its own end. I do not think that all investigations, with due deference to committees, will ever reach it.

Question. I asked you whether you wanted this committee to believe that because

Captain Little, as he is ordinarily called, said he was captain of a company, he was captain of a Ku-Klux company?

Answer. No, sir, I don't say that; but you asked me what I wanted the committee to believe; I want the committee to believe this, which I stated, that between Mr. Copeland's house and Newberry court-house the trip I made was with Mr. Farley, who was not a mason; that he passed me through those pickets; that he left me in the road and had a conversation with them, and that I got through unmolested; and then you may believe what you please after that, but it is evident to my mind that they were Ku-Klux.

Question. I did not ask you that question. I asked whether you wanted to convey the impression that Little was captain of a Ku-Klux company because he is called Captain Little.

Answer. No, sir; I will not cast any such imputation on Mr. Little. I would say here that so far as Mr. Little is concerned, I would much rather that his name should be left out; for I am under obligation to Mr. Little that I sit here now, and I do not want to do him an injury.

Question. If you wanted it kept out you ought not to have brought it in.

Answer. I am willing you should examine him; but would it not be base, after he put himself in danger once or twice for me, to say anything or to cast any imputation on him?

Question. But you should have considered that before.

Answer. But you put me under oath.

Question. You answered that to the chairman, not to me. Whether you would have stated it or not, you may rest assured I would have had that name out of you whether you were willing or not.

Answer. I leave you to just imagine the circumstances yourself.

Question. Where does this man Spencer live?

Answer. I do not know. He is a Laurens man.

Question. What is his first name?

Answer. I do not know. I think he lives in Clinton, Laurens County.

Question. You say Spencer, when foiled in his attempt to shoot you, cursed and damned masonry?

Answer. Yes, sir.

Question. Then it was pretty well understood that it was not Ku-Kluxism but masonry that saved your life?

Answer. Yes, sir; that is it. If you will allow me to state, when I got down to Mr. Copeland's house, there they were very particular about my trusting myself to Mr. Farley. I was a little more so, because I had heard Mr. Copeland reciting over nine who had been killed, among them Mr. Powell, whom I knew very well; and two were lying in the road, within a quarter of a mile, according to Mr. Copeland's story, and it has been verified since. There were eleven killed—twelve, I may say, as one more was found.

By Mr. STEVENSON:

Question. You say it was well understood that masonry and not Ku-Kluxism saved you; from what did masonry save you?

Answer. From being shot.

Question. From Ku-Kluxism?

Answer. Yes, sir.

Question. Was that promise to Major Farley, to make a favorable statement of all that had occurred in that county, known to the men from whom he was protecting you?

Answer. No, sir; I do not think it was. It was understood by Mr. Copeland and by Mr. Little, and by a lawyer, Olin D. Yeast, from Greenville, who turned up there in the crowd, at Mr. Copeland's house, that I was to make this statement. I have got passes from him. They gave me written passes.

By the CHAIRMAN:

Question. Who did?

Answer. One was signed by Mr. Yeast, protecting me wherever I should be; and one by Mr. Farley, and one by Mr. Little and Mr. Copeland.

By Mr. STEVENSON:

Question. Were they masonic?

Answer. No, sir; there was put on the corner a square and compass; they were to protect me. I sent them home last Tuesday to my brother-in-law as curiosities. They were written in this way: That whoever might meet with me should treat me with respect and kindness, and signed by these men.

Question. In speaking of these young men talking in the room above you, you say that when remonstrated with by the older heads they would say "if it had to come, it might as well begin now."

Answer. Yes, sir. You make a mistake in the locality. That talk with the older men was in the hotel.

Question. I want to know whether these young men, according to your impression, in their responses, and by all they said and did, expressed a desire to avoid a conflict, or whether they wished to precipitate it.

Answer. Their conversation indicated that they were ready for a fight, and wanted one. I remarked to Colonel Smith that people ought to be thankful to have some old men. That I said in the camp.

Question. You said, in answer to Judge Van Trump, that most of the people left that night. Did you mean that the whites and blacks both left?

Answer. The majority of them left; some were about there.

Question. Were there any of the country militia there next morning after that raid began?

Answer. I presume there were.

Question. Were there any appearing as militia?

Answer. I did not see any at all; there was just this one collision I told you of the day of the closing of the polls when I referred to this man Tyler. That was the only collision I saw with armed men. I did not see any armed negroes at all.

Question. Where is Mr. Farley now?

Answer. I do not know; I presume he is at Laurens. His mother lives there.

SPARTANBURGH, SOUTH CAROLINA, July 6, 1871.

JOHN GENOBLES sworn and examined.

By the CHAIRMAN:

Question. Where do you live?

Answer. I live in Glen Springs Township, two miles and a half from Glen Springs, on the Floyd Burnt Factory road, in this county.

Question. How long have you lived there?

Answer. About sixteen or seventeen years.

Question. Are you a native of this State?

Answer. Yes, sir; I was born and raised in Orangeburgh district. I came up to this county on Christmas Eve of 1827, and have lived in this county ever since.

Question. What is your occupation?

Answer. My occupation is farming.

Question. Please go on and tell the committee, in your own way, whether any persons in disguise have called upon you; whether they whipped you; and if so, state when that was, and what they said and did to you.

Answer. I do not know that I can tell the night they came to my house. It was the last part of April, I think, on Saturday night; it was the last of April; it was on the Saturday night after Dr. Winsmith was shot on Wednesday night. There came a company of men around my house; I was unawares of it. About midnight a strange voice was heard in the piazza, "Make me a light." I told my woman to get up and make a light. I expected who they were.

Question. What?

Answer. I expected it was that kind of people, Ku-Klux. I told Sarah to make up a light quick. Says I, "Mother, get up and make up a light;" and when she made it up I said, "Open the door and let the men in, for I want to talk with them;" and then he hollered out, "And I want to talk with you." She opened the door, and four men jumped in right after her and scared her nearly to death; it alarmed her very much. She says she doesn't think she'll get over the feeling while she lives. She is now getting into her old age. By my age, I'll be sixty-nine September 4th. They came in; one stood at the foot of my bed. I was sitting with my feet hanging out of the bed; but instead of talking with me, as I thought they ought to do, according to what I had said, for I peaceably submitted, and let them come in to talk with me, because I knew I had not injured any man in the State, but only joined a certain party which is nicknamed the radical party, and attended radical meetings and voted the radical ticket; I always did do that, and always called myself a Union republican, though, at the last election for members of the legislature, I was not satisfied with the men and would not vote for them, but scratched their names, though I voted for the balance of the candidates; well, these men, instead of talking to me—there was a low, chunky, blue-eyed man among them, for I could see, through the mask he had on, his blue eyes, as I then thought, and think so still, and always shall, and his pistol was cocked—instead of talking to me, he said, "I will shoot you, I will shoot you, I will shoot you, I will shoot you," and then a man stepped up and put a wet sack over my head. It had been raining before that in the night, and it was now midnight, and they took me out, and when they got under my wild locust tree (the limbs were hanging way off) they

made me get down on my knees, and called for a rope. I then expected they were going to hang me, but they did not get a rope. They took me to my wood-yard, and made me get down on all fours, and pulled my shirt out of my drawers, and tore the back part of my drawers, which were getting old, and tore half of it off; and they pulled my shirt over my head, and he said, "I intend to make a good citizen of you; you ordered a good citizen out of your house on the day of the election." You see the election had been appointed at my house, and I had been the manager of the board. They then hit me several times pretty severely with hickories.

Question. Describe how it was done.

Answer. They didn't continue one lick right after another, but did it slowly. Some said they only hit me fourteen licks.

Question. What?

Answer. I have heard such a report, that they only hit me fourteen licks. At the last lick they swung my arm back in this way, and liked to have broken my little old arm. I do not think it was broken, but the veins on my left arm turned black from my shoulder to my wrist, and this arm turned black also—both arms. Then they asked me if I was a Christian. I said I had been a member of the church forty-three years.

Question. Of what church?

Answer. Of the Methodist church. I joined it in 1823. They said, "You are a damned poor Christian, and I'll make a good citizen of you, for you have ruined your family's character," or something to that amount. They quit whipping me, and I heard them whispering. I didn't hear what they said, but one stepped up and said, "If you will agree to go to the court-house, and get on the steps and there declare yourself a democrat, and say that you have quit this partyism or this radicalism, we will let you go; but if you do not, we will come back and kill you." Therefore, of course, I did it.

Question. You promised to do so?

Answer. Yes, sir; I promised to do so if they would let me off, for I was nearly dead, almost frozen. The toes of my right foot have not a good feeling in them yet, and I don't know as I'll ever have the feeling in my right foot as before, for I was almost chilled to death in that cold rain.

Question. How long were you kept out there?

Answer. I cannot tell. It was longer than I wished it to be.

Question. How far were you taken from your house?

Answer. Some twenty or thirty steps.

Question. Was any person but your wife and yourself at the house?

Answer. Nobody but her and a little daughter, and one of my sons and the baby boy. My other elder son was gone to see his brother.

Question. How old was your son that was there?

Answer. He would be sixteen in June.

Question. How many persons were there in this company?

Answer. I don't know how many there were. There was a whisky wagoner, four miles from there, said there were ninety men in the crowd, he supposed, as they passed.

Question. How many did you see?

Answer. I didn't see but four, but I could hear them.

Question. Were they disguised?

Answer. Yes, sir.

Question. How?

Answer. They had ears on their heads like mules, and something over their faces. This man that had blue eyes was the only man that I looked to see his face, because they then put this sack over my head.

Question. How were their bodies covered?

Answer. I can't tell how they were covered, but they seemed to have on a different dress from what men generally wear.

Question. Did they come on horseback or on foot?

Answer. I cannot tell. We saw the sign of horses down at what is called the little point, that makes off to the left of the public road. I saw a crowd had been tramping around there where they left their horses, and then walked up.

Question. Were there injuries on your body other than those on your arms?

Answer. Yes, sir; my body was very sore.

Question. Was it cut in any place?

Answer. Yes, sir.

Question. To what extent?

Answer. It was more bruised than cut.

Question. Do you know how often they struck you?

Answer. No, sir; for I listened to hear the pistol crack any moment, and you know how a man would feel when overpowered in that condition; but if I could have called back twenty-five years, four men could not have taken me out of my house.

Question. Is this a full statement of what was done that night

Answer. Yes, sir.

Question. Did you come to town in pursuance of that promise?

Answer. Yes, sir.

Question. How long afterward?

Answer. It was the sales day in May.

By Mr. STEVENSON:

Question. The first sales day?

Answer. Yes, sir.

Question. Did they tell you when you must come to town?

Answer. Yes, sir; they told me to come on the sales day which was directly after they had whipped me. They said, "Next sales day you go and declare yourself."

By the CHAIRMAN:

Question. When you came to this town, what did you do in pursuance of this promise? Whom did you first go to when you came? State all that you did.

Answer. I was a good deal agitated, and I don't remember who all did come to me. Mr. Augustus Corbin, Colonel J. Ballenger, who had been great friends of mine, I thought, all along before I joined this party—I saw them; but all seemed cold toward me after they found that I belonged to the radical party.

By Mr. VAN TRUMP:

Question. Was this after you came to town?

Answer. I delivered my little message on the stand——

Question. Did nobody come to you first, or did you go to anybody to get counsel?

Answer. Dr. Cummings met me on the steps.

Question. Preacher Cummings?

Answer. Yes, sir. I told him what had occurred. He said for me to go to the officer in there who was staying up stairs, and relate the circumstance to him.

Question. What officers?

Answer. We called them Yankee officers.

Question. Was he a military officer?

Answer. Yes, sir; I suppose so. I came to him with Dr. Cummings, and the officer told me that if I did not wish to go into that measure he would guard me; but I told him my business could not be spared, as I had a very heavy crop on hand.

By the CHAIRMAN:

Question. What was the name of this officer?

Answer. I forget his name; he belonged to a foot company. His was the first company that came here before the cavalry. I showed him my bruises. He said if I needed assistance he would guard me. I said, "You cannot be here always, and they will come and kill me." And then I went down and spoke to the sheriff, and asked him when he got through his business to let the people know that I wanted to make a few remarks.

By Mr. VAN TRUMP:

Question. When he got through with the sales?

Answer. Yes, sir.

By the CHAIRMAN:

Question. Proceed with your statement.

Answer. I got up—the sheriff was then done selling his property—I got up on the steps, and said that I was no longer a partisan man, and was not in favor of a black republican government; that I thought that a white man was somewhat superior to a black man. That is pretty much all that I said; also, that I was a member of the church so long—some forty-three years.

Question. Did any of the citizens here that you know speak to you on the subject before you spoke to the sheriff except the persons that you have named, Dr. Cummings and this officer?

Answer. I do not know that they did. If they did I do not remember it; my mind is somewhat torn to pieces; I am getting old, too. They might, and they might not; I do not remember. I did not think to take the precaution of noticing everything that transpired. I did not know that I would ever be called on any more for it, and I did not take the precaution to try to recollect all that passed.

Question. Was this statement made by you because of your belief in the truth of what you said, or was it to save your life?

Answer. It was to save my life.

Question. Would you have made any such statement if it had not been for this visit and whipping that you have described?

Answer. I suppose not.

By Mr. VAN TRUMP:

Question. You say you suppose; cannot you say whether you would or would not, for you know whether you would or would not?

Answer. I do not think I would. My son told me not to do it; I was talking to him about it before they came to me. There was a gentleman told me by the name of Elijah Brown, because my name had gone further than I had known or had a right to think—

Question. The question is whether you would have made this statement if you had not been visited?

Answer. Let me tell you. Mr. Elijah Brown met me down here. We had been very intimate friends before the war and after the surrender. I have visited his house. He lives over on Pacolet River; he owns the bridge over Pacolet on the Glen Springs road. He advised me to put my name in the Spartan paper, saying I was no longer a radical. I talked to my eldest son that is in my county; my eldest son of all lives in Edgefield District. Robert said, "Pap, I don't believe I would do it." I told him what Mr. Brown had told me, that I had better put my name in and let everybody see it. Afterward I began to think that he expected that these people would come upon me, and he wanted me to be clear and not to be abused, and thought that if I would put my name in the paper the Ku-Klux would have let me alone.

By the CHAIRMAN:

Question. Did you and Dr. Brown belong to the same party?

Answer. No, sir; he is what is called a democrat.

Question. Is that all the explanation you desire to give, as to whether you would have made this declaration, if it had not been for that visit?

Answer. I would not. I do not think I would have done it, because my son advised me not to do it.

Question. After you did make this declaration, what else occurred; were you welcomed or congratulated by anybody?

Answer. Yes, sir.

Question. By whom?

Answer. By Mr. Brown himself, and Colonel Ballenger, and Mr. Augustus Corbin

By Mr. VAN TRUMP:

Question. Was that after you made the speech?

Answer. Yes, sir.

By the CHAIRMAN:

Question. What was said to you?

Answer. I forget. I will tell you what Mr. Brown and what Colonel Ballenger said. Said he, "Now I can shake hands heartily with you better than I could before." Mr. Brown said, "Come down and see me now, and we will have a good mess of fish."

Question. What has been the effect on the people of your neighborhood of this proceeding against you, so far as concerns the security which they feel in their homes, and as to their enjoyment of their political opinions?

Answer. Well, I do not know that any men right immediately in my neighborhood are in any danger, because they are all democrats, you may say. Dr. Winsmith and myself are looked upon pretty much as the forerunners, in the neighborhood, of the radical party.

Question. Are there many negroes in that vicinity?

Answer. Yes, sir; a good many.

Question. Have there been any cases that you know of in which they have been whipped or injured?

Answer. Yes, sir; Wallace Olin was killed.

Question. How far was that from you?

Answer. By the nigh way—for we have a near way to go—we call it three miles from my house.

Question. How do you know the fact that he was killed?

Answer. I had business at Dr. Jones the day he died. It was as if he was shot to-night, and I went over about 2 o'clock, to trade with Dr. Jones; I knew nothing about the circumstance until I got there.

Question. Did you see Wallace Olin himself?

Answer. No, sir. This was a black man that belonged to J. B. Olin's father, and he was living still on the old plantation that Dr. Jones bought after Mr. Olin broke. The old black man still remained on the place.

Question. Did you see the black man after he was dead?

Answer. His wife came in to Dr. Jones and asked him for a winding sheet, or a sheet or canvas of some sort; but she is here in town now to answer for herself.

Question. Is this all you know of the occurrences in that neighborhood of your own knowledge?

Answer. They whipped a black man that used to belong to John C. Zimmerman, and Mr. Hugh Pierce; but I don't know, except by hearsay, for I didn't see it. I suppose this is something like a court of common pleas here in taking testimony, but I have never been a witness but once in my life before, and that was before a magistrate. I never sued but one man.

Question. Had you any quarrel with your neighbors, which would account for these men coming to you in this way?

Answer. No, sir. I am not a quarrelsome man; I have always tried to do right, as near as I knew how—always tried to attend to my own business.

Question. Did they give any other reason than what you have stated for their coming?

Answer. They said this. Now you see, once my married daughter, on election day, stepped up to the ballot-box and slipped a ticket in, and her husband stepped right up and said, "That is the ticket I would have voted;" and if he had not said that she would have been prosecuted. It was through her ignorance it was done, and it was done so quick, you see. The election was held at my house.

Question. When was that?

Answer. That was before Christmas, in the election last year.

Question. What did they say about that?

Answer. They asked where that damned lady was that voted that ticket, and my wife said, "She is not here." I expect that they would have given her a brushing if she had been there.

Question. Was that all they said?

Answer. Yes, sir, I think that was all that was said; they did not say that to me, they said it to my wife.

Question. Did you know any of these men?

Answer. No, sir.

Question. You cannot tell who they were?

Answer. No, sir; I had no chance to know any one; they came and put that old sack over my head, and walked out with me rather quick, and gave me no chance to see or talk at all. My little daughter ran out to the door, and they stopped her there. She said, "Don't kill my papa." I could hear her say that two or three times.

By Mr. STEVENSON:

Question. After your daughter voted and put this ticket in the box, you say your son-in-law said that was the ticket he would have voted?

Answer. Yes, sir; he said it was the same ticket he would have put in, and he claimed it.

Question. He adopted that ballot?

Answer. Yes, sir.

Question. In your remarks at the court-house, did you say what party you intended thereafter to act with?

Answer. No, sir. Mr. — they called him Honeybee, the crier, when I said I was no longer a partisan man—I almost forget now what I did say—he says, "Then you will vote the democratic ticket?"

Question. Out loud?

Answer. Yes, sir.

Question. What did you say to that?

Answer. I forget whether I said yes or no. I forget whether we were mutual in it or not; I cannot recollect, my mind is so addled.

Question. Are these men who congratulated you all democrats?

Answer. Yes, sir, I would suppose so.

Question. Do you not know that they are prominent democrats?

Answer. I take them as such.

Question. How old is your oldest son who was at home—the one who advised you not to publish your piece in the paper?

Answer. I think he is about thirty-three years old.

Question. He was not at home that night?

Answer. O, he is married and has a family, living to himself. He was rather afraid it would bring a slur upon me and the family, perhaps. I think that was his notion. I formerly had always voted the republican ticket.

Question. Was he a republican?

Answer. Yes, sir; he joined the party, but left it, and would not vote any more. He would not vote at all, and my intention was never to vote again.

Question. Had that practice been frequent of people putting pieces in the paper?

Answer. Yes, sir.

Question. Had that been done before that time?

Answer. Yes, sir; not to my knowledge, for I didn't take the news, but that is the report I received that men were prepared to do it.

Question. Had other men renounced their party from the court-house steps?

Answer. No, sir, not to my knowledge. I never heard it before.

Question. Was this Mr. Brown, who first advised you to put your piece in the paper, the same man who congratulated you?

Answer. Yes, sir, the same man.

Question. How old is your wife?

Answer. She is about fifty-six or seven, and she is laboring under disease. Her constitution is broken. We raised eight sons and three daughters; twelve children in all we raised; one died in infancy. I didn't feed my boys to hide them in the woods; I had four sons in this awful war, and it was enough to cramp my feelings to think, that I lost two valuable sons in it.

Question. You had four sons in the rebel army, and lost two?

Answer. Yes, sir. One was crippled, and the other was also hurt. The oldest one has not good health. The other was shot at Gettysburg, one inch below his right breast. When the Yankees cured him and sent him home, as soon as he got real stout he had to go again a second time, and he never came back. He was shot through the hand and wrist, and it broke all these bones.

Question. Did you say that two were killed, and the other crippled?

Answer. I did not say they were killed. Perhaps they died from the measles. They had taken the measles in the army. They died. One was buried at Elmira Island, and the other at Winder Hospital.

Question. How long had you been in town before you went to the court-house steps to make your remarks?

Answer. It must have been some two hours or more. I know it took some little time for the sale hours to get over.

Question. Were many people here?

Answer. There were a good many here.

Question. That sale day occurs once a month?

Answer. Yes, sir.

Question. And all the people come to town that have business?

Answer. If it is a wet day there is a good many more than have business, perhaps.

Question. Did you see any people from about your neighborhood there? I do not mean any person in particular, but were there people from your part of the county present?

Answer. I do not remember, if I did. I do not recollect it now, for I didn't stay about much.

Question. Are you pretty well acquainted in the county?

Answer. Yes, sir, tolerably well.

Question. Did the people from your neighborhood generally come into sales days?

Answer. Yes, sir. They generally came in on public days.

By MR. VAN TRUMP:

Question. You say you cannot recollect the precise night when these men visited you?

Answer. No, sir.

Question. But you do say that according to your best impression, it was the latter part of April?

Answer. Yes, sir.

Question. And on Saturday night, after the violence done to Dr. Winsmith?

Answer. Yes, sir.

Question. You think he was visited on the Wednesday night previous?

Answer. Yes, sir.

Question. That is the way you fix it?

Answer. Yes, sir.

Question. It was about midnight?

Answer. I suppose so.

Question. What sort of a night was it?

Answer. A very wet, cold night.

Question. How could it have been a very cold night in the latter part of April in South Carolina?

Answer. There is always a cold wet time in April in South Carolina.

Question. Do you mean any more than that it was a very wet, chilly night?

Answer. Yes, sir, the rain was very cold; there comes a cold rain in April and May often.

Question. You have said—I want to give you a chance to reconsider it—that you were nearly frozen that night?

Answer. Yes, sir; it did chill me powerful.

Question. You say your foot was injured?

Answer. Yes, sir. It is not over it yet; my foot has not the same feeling; I will not say for certain that that was the cause of it.

Question. You spoke of it in connection with the fact that you were nearly frozen that night?

Answer. I was so cold that I didn't get warm, for we hadn't any wood on the fire, and I went to bed. My wife put a shirt on me, and I shivered like a child. I was scared nearly to death, which made it worse, I expect.

Question. You say four men came into your house?

Answer. Yes, sir; four was all I saw.

Question. They were masked or disguised?

Answer. Yes, sir.

Question. They took you out, stripped up your shirt, and began to whip you with a hickory?

Answer. Yes, sir.

Question. And whipped you severely?

Answer. They did. I was very poor, and I am now, as you see, and it hurt me very badly.

Question. You said that just at the close of the whipping, and perhaps at the last stroke, you threw your two arms behind you?

Answer. Yes, in this way, [illustrating.]

Question. And your right arm was nearly broken, and of your left arm you thought the veins were nearly burst?

Answer. Yes, sir.

Question. Would the veins in the front of the arm be affected by that motion?

Answer. Yes, sir; it was this way.

Question. They didn't strike you there?

Answer. Yes, sir; you see I turned them around behind me, in this way; turned the arm around so, and they hit me on the upper arm here; it turned black from above my elbow down. Dr. Cummings saw it.

Question. After they got you out, what were the first words they said to you?

Answer. I forget what they did say; I want to try and give a true statement as far I can recollect, but I didn't think I would ever be called upon for it, or I would have taken the precaution to recollect.

Question. You do not recollect what was the first thing they said after they took you out?

Answer. No, sir.

Question. What did they say they whipped you for?

Answer. For being in this republican party, and they intended to make a good citizen of me. They said "that your family could be recommended."

Question. Recommended for what?

Answer. From what we laid under, under burlesque, I would think. They would say it was like a burlesque to join the republican party, and they would not be recognized by the balance of the people.

Question. How long were they in the process of whipping you; how many minutes?

Answer. I suppose fifteen or twenty minutes.

Question. Then, from the time when you went out of doors, until you got back in the house again, was fifteen or twenty minutes?

Answer. Yes, sir: when they hit me that lick that injured my arms I fell over on my side and hallooed out, and they didn't hit me again.

Question. When did they propose to you that you should make this recantation of republicanism? At what point of time did that occur?

Answer. At the close of the whipping they asked if I would get up on the steps of the court-house and acknowledge, as I before stated, that I was done with republicanism?

Question. Are you sure that was after the whipping, or before?

Answer. It was afterwards. Then they said, when I acknowledged and said I would make the little speech as they told me to do, for me to get up, and I told them I didn't think I could walk back to the house. You see I had fallen fifty feet in my well, some fifteen years ago, and injured my back and knees, and at this time I was very cold, taking me out of my warm bed into the cold, chilly rain, and I didn't think I could walk. "O, but," says one, "I will help you in," and two men took me by the arms and led me in the door.

Question. What was the name of this whisky wagoner who told you how many there were?

Answer. He didn't tell me; he told one of my neighbors.

Question. Who?

Answer. Miss Jane Taylor, and Mrs. Taylor, and they told me.

Question. What was the name of the wagoner?

Answer. James Cathcart.

Question. Where does he live?

Answer. Down in the Black Jack country, below Dr. Winsmith's.

Question. Not far from you?

Answer. No, sir; seven or eight miles.

Question. Are not you and Dr. Winsmith close together?

Answer. No, sir; three and a half miles apart.

Question. Do you know Cathcart?

Answer. Yes, sir; when I see him.

Question. Did you ever see him since that whipping?

Answer. No, sir.

Question. You saw but four of these men?

Answer. Yes, sir; I saw but four, but I heard a good many out in the piazza, and my children said that they were all around my house.

Question. When was the first sales day after that transaction occurred?

Answer. About the first week in May. It was the first Monday in May.

Question. You came to town to fulfill your promise?

Answer. I always do, or try to do, what I promise.

Question. Do you think you did right in fulfilling that promise?

Answer. Yes, sir.

Question. Is it upon the ground that you feel under a moral obligation to keep a promise?

Answer. I thought I ought to do it, as long as I promised to do so.

Question. Was it because you had promised to do so, and were under a moral obligation, rather than from fear of the consequences?

Answer. Yes, sir; it was from fear of the consequences that might occur hereafter.

Question. I ask you whether it was more from inclination to fulfill a promise as a moral obligation, than from fear?

Answer. It was both. I want to stick up to what I promise to do.

Question. That feeling really entered into the fact of your making that speech on that day, to some extent, at least?

Answer. Yes, sir.

Question. Do you say that under such circumstances, of a promise being extorted from a man, he is under any obligation at all to fulfill it? Is that your process of reasoning?

Answer. I do not know; I am an ignorant man; I cannot understand things like such men as you.

Question. What time in the day did you come to town?

Answer. I suppose it must have been between 10 and 11 o'clock.

Question. At what time did the auction sales commence?

Answer. Eleven o'clock, I think, is the auction sale.

Question. And you got in about 10?

Answer. Between 10 and 11, I would say.

Question. You went to the sheriff and told him that after he got through the sales you wanted to make a little speech?

Answer. Yes, sir.

Question. You are sure it was after the sales, and not during the sales?

Answer. No, sir; I told him that while they were selling; says I, "Now, Mr. Sheriff, when you get through with your sales tell the people that I want to make a little speech, and after the sale is over I will."

Question. It is not true, then, that these sales were stopped on purpose that you might make that speech?

Answer. No, sir; because I never told any one to stop the sales. You see I came here to this man that I told who had done that. Dr. Cummings and I staid rather too long, and when I got back the sale hours were over.

Question. Before you went to see Rev. Mr. Cummings you had told the sheriff that when the sales were over you wanted to make a speech to the crowd?

Answer. I think I saw Dr. Cummings before I told the sheriff.

Question. Did you not say that you saw Dr. Cummings first?

Answer. No, sir. Dr. Cummings came from the steps and I was going to the steps, and then says I to Dr. Cummings, "I have been abused." Says he, "Come with me;" and he took me up-stairs.

Question. But before that you had told the sheriff you wanted to make a speech?

Answer. Yes, sir.

Question. And when you got back from the visit to Dr. Cummings the sales were over?

Answer. Yes, sir; and I had told the sheriff before that time that when the sales were over I would make a speech.

Question. After that you saw Dr. Cummings, and when you got back the sales were over?

Answer. Yes, sir.

Question. Between that time when you spoke to the sheriff and your return you had staid with Dr. Cummings until the whole thing was over?

Answer. Yes, sir. I told the officer I was obliged to do that thing.

Question. Was that an officer in command of the Federal troops?

Answer. Yes, sir.

Question. Was it a United States officer?

Answer. Yes, sir; so Dr. Cummings told me. An officer of some sort; I don't know what.

Question. Had he a uniform on?

Answer. I suppose so. He told me he would guard me. I told him I would not be safe, and that I wouldn't like to leave my farm.

Question. That you had a crop at home, and he would not be here all the time to protect you, and so you would have to make the speech?

Answer. Yes, sir.

Question. After you had got done your speech, and Mr. Brown, Colonel Ballenger, and Mr. Corbin spoke to you, did it strike you as singular that these men, being democrats, should come up and shake hands and welcome you into the party?

Answer. They didn't welcome me into the party. They only congratulated me for renouncing my republicanism or radicalism.

Question. It was about half way, then?

Answer. Yes, sir.

Question. Did that strike you as a remarkable fact, or surprise you?

Answer. Well, somewhat.

Question. Why?

Answer. I thought, being as there was a coldness before that, now there was something more brilliant.

Question. Do you know that these men knew anything about these Ku-Klux having called on you?

Answer. Not to my knowledge. I didn't tell anybody, you see.

Question. If these men, Mr. Brown, Mr. Ballenger, and Mr. Corbin, knew nothing about this visit to you, and all that they knew was this little speech of yours renouncing republicanism, then was that surprising to you?

Answer. Well, it was sort of animating to me. I never was called before a tribunal before, and I can't do as men who are pretty well enlightened, and I ask you to remember this.

Question. I am asking for your reason at that time, and not since, for being surprised that these gentlemen, your neighbors and acquaintances, after you had made that speech, should congratulate you about it. Why did it surprise you?

Answer. I don't know that I can answer you. I wish to do it if I knew how, and to tell you all about it.

Question. You say you had told nobody about this whipping?

Answer. No, sir; I was afraid to tell about it.

Question. Nobody knew of it but you and your family?

Answer. It was rumored in the neighborhood by Mr. Beloue and Mr. Hood that John Genobles had received a thrashing the other night.

Question. Did anybody know about the contract you had made with the Ku-Klux that night to make a speech?

Answer. I heard something to that effect after I had done it that Dutch John Harmon said coming up the road. Now my wife's cousin told that he heard Harmon say it, but I ought to have heard it.

Question. Was that after you made the speech?

Answer. No, sir; it was when on the way up. I was behind and he was on ahead. Harmon and my wife's cousins, two of them, were going on and says he ———

Question. Wait a minute. How could Dutch Harmon know anything about it if nobody knew anything about it besides yourself, or if you had not told anybody about it except Dr. Cummings and the officers?

Answer. I'll tell you.

Question. Tell what he said.

Answer. My wife's cousin said that Harmon was in the greatest tickle that he was ever in in his life, and told Austin Law that he supposed old Johnny Genobles was coming here to make acknowledgment and to leave the party on the court-house steps that morning, and he was wonderfully tickled. Now you know people tell a heap of wrong tales, and it might be that not a word of it is true; and it might be so.

Question. Did it not strike you, if you had told nobody and your family had told nobody about this arrangement between you and the Ku-Klux as to this speech, that Dutch Harmon could not have told about it unless he was one of the party that whipped you?

Answer. If it is the truth, he must have known something about it.

Question. Did it not look that way?

Answer. Yes, sir.

Question. But certainly the people generally did not know anything about it?

Answer. I don't think they could have known unless they had a part in it, because I was afraid to tell my son and daughter.

Question. You had no idea at the time, and have not now, that either Mr. Brown or Mr. Ballenger or Mr. Corbin had ever heard of this peculiar arrangement that you made with these disguised men?

Answer. I don't think they knew anything about it.

Question. Therefore, although you thought it surprising, it might not have been very surprising that these men, being democrats, should congratulate you upon renouncing republicanism?

Answer. Yes, sir; I suppose so.

Question. Who was this Wallace Olin, who was shot three miles from here?

Answer. He formerly belonged to old Johnny Olin, dead many years ago, and from him he fell to the heir, his son, John P. Olin. In those war times colored men were always afraid, and this old man always remained on that place that was sold to Dr. Jones to get out of debt. I don't think he sold him out, but he just took a home at the mill.

Question. How did your daughter come to vote on that day?

Answer. She came up very quickly. I was chairman of the board. John Wofford was the clerk, and Wesley White was also pensman.

Question. Were you present?

Answer. I was sitting at the far end of the table and the man was sitting at the upper end, managing the box, to receive the tickets, and she picked up a vote on the desk behind the man that managed the box. He was a freedman; was sitting there very carelessly and she walked up carelessly and says, "I am going to vote." I says, "Daughter don't put that ticket in," but before I could get up she put it in. It was about to make a fuss, but the young man that married her got up and said "I claim the vote she put in. I would have voted it," and that ended the fuss.

Question. Was not your son-in-law away when she voted?

Answer. He was at the far end of the room and was coming in.

Question. Had he not been away.

Answer. No, sir; he had not been off of the place.

Question. He was a republican?

Answer. Yes, sir.

Question. Were you a republican?

Answer. Yes, sir.

Question. And the negro manager was a republican?

Answer. Yes, sir.

Question. The other manager was a republican?

Answer. He had resigned—the other one had.

Question. The one who was there acting was a republican?

Answer. He told me he saw the republican party was going to fail and he quit it.

Question. That was after the election?

Answer. Yes, sir; and John Wofford was a very fine man; a very clever man.

Question. Is it not a fact that when your daughter put that ticket in she said she would vote for her husband because he was not there; that he should have his vote anyhow?

Answer. If she said it, I do not know it; and I would have heard her say it; but she never said it in my presence.

Question. That was last October?

Answer. Yes, sir.

Question. There was no democratic manager there?

Answer. Yes, sir; John Wofford was there; he is a democrat.

Question. Was he a democrat at that time?

Answer. Yes, sir.

Question. I thought you said that you and the clerk and the manager were republicans?

Answer. No, sir; the other man, Wofford, was a clerk.

Question. The managers were all republicans?

Answer. Wesley White told me here on the hill afterwards that he saw republicanism was going down, and he left it.

Question. That is since the election?

Answer. Yes, sir.

Question. But at that time he was recognized as a republican?

Answer. I recognized him so.

Question. What was done immediately after the election with that election-box?

Answer. Me and Mr. John Wofford and Mr. Franklin West did it up and sealed it over. Franklin West was a democrat, and he found the sealing wax to seal it up. It was sealed up. I had a large republican paper, and it was a wet time, and my wife gets the republican paper, and puts it over the seal, and gets a long cotton string and ties it over that.

Question. And then it was in your charge?

Answer. Yes, sir. It was put in the bottom of my bureau drawer, and the next morning as soon as I could get a bite to eat I brought it here.

Question. And delivered it to Mr. Flemming?

Answer. Yes, sir; to the clerk.

Question. Your duty was to deliver it to the clerk?

Answer. Yes, sir.

Question. He was assessor and collector and clerk?

Answer. Yes, sir; he was auditor of the county.

Question. One of the board of managers of election, and United States assessor, and auditor of the county?

Answer. Yes, sir.

Question. It was your duty to deliver it to him?

Answer. Yes, sir, I did it. We folks had tied it up with my pocket handkerchief. I brought it in, and set it on the table. Mr. Fleming was absent, and I untied my handkerchief, and forgot about it, and went down to Rev. Dr. Cummings's store, and then I recollected my handkerchief, and went back, and I saw my paper put over it was taken off.

Question. What else did you see?

Answer. I saw it was unsealed.

Question. Did you not report that immediately afterward? Between the time you left that in charge of the clerk and the time when you found it again, going back after your handkerchief that you had forgotten, was it fifteen minutes?

Answer. Yes, sir.

Question. Have you not said, and was it not a fact, that the seal was broken?

Answer. I swore to that fact.

Question. Do you swear to it now?

Answer. To be sure. The seal was taken off, but who did it I do not know. I was not present.

Question. You made a written affidavit of these facts, did you not?

Answer. Yes, sir. I did not do it, but the clerks did, and I signed it.

Question. And swore to it?

Answer. Yes, sir.

Question. I ask you, as a public officer having in charge the management of that election and the ballot-box, whether, after that box was sealed at your house and brought here to town, and you found the seal broken, there had not been votes changed in that box?

Answer. I do not know that there was.

Question. What is your belief about it?

Answer. There was Franklin West and Elias Smith kept a count of the different votes at the polls.

Question. Before you get further, describe the democratic ticket as distinguished from the republican ticket in appearance.

Answer. I was coming to that. I do not know that I can tell the precise number the democratic party was ahead, but I think it was over a hundred in that township, and I think the report from the other scrawl said there was ninety-six republican majority.

Question. That is, when the votes were counted out ten days afterward, instead of there being one hundred majority democratic, as was understood by these marked tickets, there was ninety-six republican majority.

Answer. Yes, sir; that was the calculation Mr. West and Mr. Smith made, that the republican party was getting a little piece behind the democratic.

Question. You said about a hundred?

Answer. It was something over a hundred.

Question. Was it not the fact that when the result was announced officially, instead of the democrats having over a hundred majority the republicans had ninety odd majority? Did you not understand that to be the fact?

Answer. Yes, sir.

Question. You say there were a good many people at the sales on that day?

Answer. Yes, sir.

Question. Is not that a universal thing?

Answer. Yes, sir.

Question. Is not that a great public day?

Answer. Yes, sir.

Question. Was there a larger number then than usual?

Answer. There are some days when the land is too wet to plow that there are a good many more than on a good plow-day.

Question. What sort of a day was that?

Answer. I forget whether it was a wet time or not.

Question. Is the first Monday in May a plow-day in this country?

Answer. Yes, sir; it is a plow-day.

Question. That is, for tending the crop, but not for breaking the ground?

Answer. Yes, it is a plow-day, and the people have a good deal of business in April to attend to.

Question. Did it strike you as extraordinary that there were a good many people there on that day?

Answer. No, sir; because I have seen as many or more at other times.

Question. I submit a paper to you. [Submitting to the witness the following paper:]

“STATE OF SOUTH CAROLINA,

“*County of Spartanburgh:*

“I testify that I was appointed and served as a manager of election at Glen Springs election precinct in October last, at the general election; that the polls were opened and kept open as required by law; that the voting was conducted in a *peaceably* and *orderly* manner throughout the day; no force, fraud, or intimidation being used in the presence of the managers, nor did I hear of any threat, force, fraud, bribery, or intimidation being used on that day. The election was free and open. At the close of the voting, the box containing the ballots was carefully sealed and I took charge of it and kept it in my care and took it to Spartanburgh court-house, and delivered it to a Mr. Merrick, who was in charge of the office of Mr. William McGill Flemming, said Flemming being chairman of the board of commissioners of election for said county. He, said Merrick, took charge of the box, as I supposed he had authority to do of Flemming, he being in charge of the office. I delivered it to him sealed as I received it when the voting was closed, and left the office. In a short time, having occasion to return, I saw that the seals on the box had been broken. I noticed particularly it was the box which I had delivered to Merrick. There was a colored man in the office called Jess, when I delivered the box to Merrick, and he was still there when I returned, also, the Rev. Mr. Parker was there, having come in during my absence. Having got ready to return I left, both of them being in the office. Given under my hand this 28th day of November, 1870.

“JOHN GENOBLES.

“Test: G. CANNON.

“Personally appeared before me, John Genobles, and made oath that the facts stated in the above certificate are true in every particular, as coming within his knowledge.

“JOHN GENOBLES.

“Sworn to before me, November 29, 1870.

“BENJ. WOFFORD, *J. P. C.*”

Question. Is that the affidavit about which you spoke?

Answer. Yes, sir. I was sorry a thousand times that they ever removed the Glen Springs box to my house, or ever made me a manager of the board. I was sorry that I ever saw it, and I am to this day. They ought to have had the election held at the old precinct, or not held it at all.

Question. You say there was a change in the voting place?

Answer. Yes, sir. It was removed from Glen Springs to my house.

Question. Was it not the fact that, at that election, throughout this county, instead of holding the elections at the usual places, they were removed to republican's houses. Is that the common report?

Answer. That was so. I believe it was done at Walnut Grove; and it was done at my house. Whether it was done at other places I do not know.

Question. You have heard that it was done in other parts of the county?

Answer. Yes, sir. I don't know how it was at Cross Anchor; that is an old voting ground. I don't know whether they removed it to a republican's house or not, but they did at those two places. I can swear to that.

Question. Have you heard no reports whether it was done in other parts of the county?

Answer. No, sir. I don't know about that. I am not qualified to speak.

By the CHAIRMAN:

Question. In voting in the election on that day, could the officers tell which were democratic and which were republican votes?

Answer. I don't know how they did it.

Question. Could they tell in any other way than by a knowledge of the voter? Was there a mark on the ticket?

Answer. Yes, sir; there was a mark on the democratic ticket.

Question. How was it marked?

Answer. You know the great General Lee had died, and there was a sign on their ticket, in token of his death.

By Mr. VAN TRUMP:

Question. Mourning you mean? Black lines around it?

Answer. Yes, sir, and it was fixed so you could tell pretty well.

By the CHAIRMAN:

Question. What mark was on the republican ticket?

Answer. There was a blue eagle.

Question. Had it been known before the day of election came round that they would be marked in that way?

Answer. No, sir. I didn't know it until I received the tickets for the election.

Question. Are you ever in the habit, down here, of getting tickets of the opposition party, and endeavoring to make tickets so like them that it cannot be told, by their general appearance, or from the back of the ticket, that the names on the ticket differ?

Answer. I don't know whether there was that arrangement or not.

Question. It was only by means of the estimates made by the clerks that the numbers of the democratic and republican votes were arrived at?

Answer. Yes, sir.

Question. It was no part of your business to count them?

Answer. No, sir; I don't think it was.

Question. Was any investigation or prosecution founded on this affidavit of yours?

Answer. No, sir.

Question. What was this affidavit made for?

Answer. I don't know. It was to get me to swear to what was done.

Question. Was it for the purpose of proceeding to investigate this election?

Answer. I suppose so.

Question. Was it investigated in any way?

Answer. I don't know. I signed my name to that.

Question. At whose instance?

Answer. A. K. Blake. Mr. Cannon drew it off.

Question. Was it at the instance of any one who was a candidate in the election?

Answer. No, sir.

Question. What was this mark on the democratic tickets, which was mourning for General Lee?

Answer. It was a black mark made across each ticket; two of them right across the edges.

Question. How did you know that was the design of it?

Answer. I heard them say so.

By Mr. VAN TRUMP:

Question. Do you not know there was an amicable arrangement between the democratic and republican party throughout the county, with perhaps hardly an exception, all the officers and managers of the election being republicans, that the democrats should have three men at each poll to keep a tally of those black tickets?

Answer. That I was informed.

Question. And it was so done at your place?

Answer. Yes, sir; when I opened the polls I put the table out in the piazza, fronting the public road, but the trial justice came directly and ordered me to take that table away from there, and that scared me. I thought he was going to enter into a prosecution of law against me for holding it so publicly out there, and John Wofford was a democrat; I chose him as a clerk. He made me move my table into the house, and shut all the doors except the chimney door; he made me do that. There is wherein I ordered this good citizen out of my house, for Elias Smith is a good citizen, and Franklin West also. I think a thick deal of him. I was afraid the trial justice was going to prosecute me. He was a strong republican and had power, and I was an ignorant man like, and never was in any public business. I never was manager of an election before. I was appointed a manager for the Air Line Railroad, but I was sick and could not attend. I moved that table in the house. The wind was blowing pretty cold, and it was blowing the papers about every which way, and I moved the table into this chimney door, and told those two young men to go out.

Question. They were democrats?

Answer. They were democrats, I suppose. I talked to Elias Smith about it since I got the thrashing. Says I, "Mr. Smith, were your feelings interrupted with me for making you and Mr. West go out of my house on such a time of the election?" "O, no," says he. Says I, "I was scared and thought it was going into a prosecution by Mr. Walker." Says he, "I knew it was Walker was the cause of it."

Question. Did they refuse to go?

Answer. No, sir; they went out like gentlemen, and I fixed a place for them there. They had their places outside.

Question. The only place to vote was to go through this narrow way?

Answer. No, sir; there were steps outside and they could step on those steps and put their tickets in.

Question. Who was this trial justice?

Answer. William Walker.

Question. By what authority did he order you as manager of the election?

Answer. I don't know. As I said, I am an ignorant man; I don't know much about law and never did, and I was a little scared, and thought he had all the power in the world.

Question. How far did he live from you?

Answer. From three to six miles.

Question. Did he belong to that voting place?

Answer. He belonged to Glen Springs township.

Question. He ordered you to change that election?

Answer. Yes, sir. I think it was wrong.

Question. Did he order you in a commanding way?

Answer. He did not do it in an abrupt way.

Question. But you understood it as an order?

Answer. Yes, sir, for he was a man of authority; and if he was not obeyed when he was in authority, he would enforce it, for he is a high-strung man.

Question. Is he black?

Answer. Yes, sir.

Question. A strong republican?

Answer. Yes, sir; and a pretty high-strung fellow.

Question. An active politician?

Answer. He is a pretty smart man.

Question. These three democrats were there, and could plainly see those black marks as the tickets were dropped into the box?

Answer. I would suppose they could tell pretty much any way who would vote the republican ticket and who would not.

[At a later hour on the same day, the witness, John Genobles, was recalled and testified further as follows:]

By Mr. STEVENSON:

Question. You say the poll-box was sealed?

Answer. We sealed it very lightly with some sealing wax, and—I'll tell this in my Dutch way; I am a Dutchman—it was wrapped up in a large republican paper, a very large one.

Question. Do you mean that you sealed it with wafers or wax?

Answer. It was some sealing-wax; or rather, it was some kind of paste.

Question. Was it transparent paste?

Answer. Yes, sir; that was it, and a piece of paper.

Question. Did you take a piece of paper and put mucilage upon it, and put that upon the box?

Answer. Yes, sir.

Question. You say that it was a rainy day?

Answer. Yes, sir; very damp and rainy indeed, and my wife tied a large republican paper over it, for fear the tickets would be damaged.

Question. How long after you sealed it did you put the paper around it?

Answer. Not all at once, but a few hours afterward. It was then in the night, and clouded up; and the next morning it looked like it was going to be rainy, and it did rain. I had a middling large handkerchief, and I tied my handkerchief over the box and hung it over my arm. I had no overcoat, nor blanket, nor shawl, and in riding the mule trotted very hard, and perhaps it might have rubbed the wax loose.

Question. The whole thing got wet?

Answer. Yes, sir; very damp indeed.

Question. Then you brought it up to the office of the auditor?

Answer. Yes, sir.

Question. You did not find him, but did find a clerk?

Answer. Yes, sir.

Question. What was his name?

Answer. Merrick.

Question. Where was he from?

Answer. I don't know that I can tell.

Question. Was he a voter?

Answer. I don't think he was.

Question. Was he not from Canada?

Answer. I was told so; I don't know him.

Question. Was anybody in the office when you left the box there?

Answer. There was an old black man sitting back on a seat, and another white man. They were in there when I came back, but I don't know whether they were there when I left.

Question. Were they there when you went away?

Answer. I did not notice; I was in a hurry.

Question. You went off and soon missed your handkerchief?

Answer. Yes, sir. In fifteen minutes I missed it, and I went back and found the box, and the big paper was off, and my handkerchief also, and the paper was off from the seal. It was slipped off to one side. Perhaps it did it in my coming up here, as it was a damp day.

Question. It just seemed to have shifted or slid off the place?

Answer. Yes, sir.

Question. Did it look as if it slipped off, or was lifted off?

Answer. It seemed to have slipped aside. From the time I left my handkerchief, I don't think anybody could have done much with the box, for it was only about fifteen minutes.

Question. Do you remember whether at your voting precinct there was a man named J. B. Tolison?

Answer. Yes, sir.

Question. Did he not have a number of tickets to imitate the democratic tickets?

Answer. Yes, sir. He gave these tickets to me himself.

Question. Was he a republican?

Answer. No, sir; he was a democrat.

Question. Was he a democratic candidate, and were these republican tickets with his name on?

Answer. Yes, sir. They were marked in the middle of the republican ticket. Then he gave me some private tickets besides, that were marked on the republican ticket, imitating the democratic ticket.

Question. Did those tickets have the stripes on like the democratic ticket?

Answer. Yes, sir; as far as I know.

Question. So that when folded up and handed in they would look like the democratic ticket?

Answer. Yes, sir; and I gave those tickets to Coleman Wofford.

Question. Do you know whether any republicans there took the republican ticket and pasted it inside of the democratic ticket, so that it would not be known how they were voting?

Answer. No, sir; I don't think that was so. I do not know anything about it, and I wouldn't tell a lie for my lands.

By Mr. VAN TRUMP:

Question. Were you examined here early this morning as a witness?

Answer. Yes, sir; the first man, I suppose.

Question. You were dismissed some time before dinner time?

Answer. Yes, sir; about 10 o'clock.

Question. And it is now about what time?

Answer. It is between 4 and 5 o'clock. I have not got the time, but that is my judgment.

Question. Have you been in town all the time since?

Answer. No, sir.

Question. Where have you been?

Answer. I have been to my dinner to start home—a little out of town at a friend's house.

Question. Whom have you seen in the mean time? Did you see Mr. Poinier?

Answer. I saw him here.

Question. Did you have any talk with him?

Answer. Not particularly.

Question. Did you have any talk with him about your testimony?

Answer. No, sir; not with him. I found out, though, that there was a misapprehension about the way I had given it.

Question. Who had the misapprehension; somebody in town?

Answer. Yes, sir.

Question. Who?

Answer. Mr. Cannon told me there was something said concerning what I had said here, and it was not understood as I wished it to have been understood.

Question. Whom else did you talk with?

Answer. Mr. Bryant.

Question. Did you talk with Mr. Fleming?

Answer. No, sir; not particularly.

Question. Did you talk with this Rev. Mr. Cummings?

Answer. No, sir.

Question. Now, you say that after you got through the election you had the box lightly sealed over with sealing-wax, but in answer to a further question you say it was not sealing-wax, but paste.

Answer. I don't know whether it was sealing-wax or paste.

Question. What was its color?

Answer. It was a sort of white-looking stuff.

Question. Was it hard or stiff?

Answer. It was soft. Mr. Frank West did it himself.

Question. Your wife tied a newspaper around it?

Answer. Yes, sir; a very large newspaper.

Question. Over that you tied your handkerchief, and brought it to town in that way?

Answer. Yes, sir.

Question. And it was rainy?

Answer. Yes, sir.

Question. Why did you not tell this morning that it was rainy?

Answer. I did not think of it.

Question. Did the mule trot more roughly than mules usually do?

Answer. I don't know as he did.

Question. Are you sure that he trotted at all?

Answer. Yes, sir. I was in a hurry to get here and get the box in, and for fear it might get wet.

Question. When you deposited the box in Mr. Fleming's office the paper was still around it?

Answer. Yes, sir.

Question. You did not take the handkerchief off when you first left it?

Answer. No, sir; I forgot it, for I had some business down below with Mr. Cummings, about some articles I wanted to carry home, and thought of my handkerchief in about fifteen or twenty minutes, and went back, and the paper was off and the handkerchief was off, and the paper was lying on the counter.

Question. Somebody had untied that handkerchief?

Answer. Yes, sir; the paper was off and the seal was removed, as I stated before, but how it was done I don't know.

Question. Was the paper still on as it was put on by your wife?

Answer. No, sir; the large newspaper was lying on the counter.

Question. But where you left it?

Answer. Yes, sir; and tied with a long string from the factory.

Question. And your handkerchief was upon it?

Answer. Yes, sir.

Question. And when you got back the handkerchief was untied at the side of the box, and the paper was off?

Answer. Yes, sir.

Question. If that thing could have got so wet as to wet through the handkerchief, and so wet that the paste became soft and loose without anybody breaking into it, wouldn't that newspaper have been so wet as to be all in a pulp?

Answer. Well, it might have been.

Question. You found the paper just as it was?

Answer. In trotting, the mule might have rubbed it.

Question. Yes; but I am asking a question to which I want an answer. You say that when you left, the paper was on it unbroken; was it possible that the rain could have wet it so much as to wet through that handkerchief and newspaper, and soften that paste so that the paper would slip off or slip aside, without that paper becoming so wet as to be a perfect pulp; is not that so?

Answer. Well, it looks very curious.

By Mr. STEVENSON:

Question. Who did you say put the paper on?

Answer. Franklin West and Elias Smith.

Question. How was that done?

Answer. They put the paper on over the box and pasted it on, and put the hole for the lock to come through the paper. We had no key to open it; the key was left here.

Question. You cut a hole through the paper, so that the lock would come outside of the paper, or the place where you put the key in?

Answer. Yes, sir.

Question. How was the paste or wax put on?

Answer. Where the lop came around, the seal was put.

Question. How was the stuff with which you fastened the paper put on the box?

Answer. They put it on with a knife—a pocket knife, as well as I can recollect; they took it out of a little thing.

Question. What little thing?

Answer. A little something that had the paste in.

Question. Was it made of glass?

Answer. A glass instrument.

Question. A glass stand?

Answer. Yes, sir; a glass stand. He had no brush, but he put his pocket knife in and took it out.

Question. Then he spread it around, and cut a hole for the keyhole?

Answer. Yes, sir.

Question. Did you notice whether the paper covered the keyhole when you got back?

Answer. No, sir; I didn't examine it particularly, because it was the first time I was manager, and I thought it was all right.

Question. Where was this paper?

Answer. On the side of the box below the lock, where it was lapped over and smeared along.

Question. When you got on your horse how did you carry it?

Answer. On my left arm; it was an oblong little box.

Question. What supported it on your arm?

Answer. My handkerchief; I had the handkerchief looped over the arm.

Question. How far did you carry it?

Answer. Eleven miles; some of the way it was rainy, some not. I rode pretty severely to keep out of the shower, for fear the votes would be wet.

Question. How could they get wet?

Answer. If it should come a hard rain, I didn't know but it would leak through.

Question. Was there a hole in the top of the box?

Answer. No, sir; that hole was sealed over with the first paper, and then my big paper was put over that, and I tied it up in my pocket handkerchief to keep it as safe as I could, and I had my shawl over it.

By Mr. VAN TRUMP:

Question. This box was sealed up on the evening of the day of election?

Answer. Yes, sir.

Question. When did you come to town?

Answer. As soon as I could get a bite to eat in the morning I started.

Question. All that time the paste had been getting perfectly hard, had it not?

Answer. Yec, sir; but it was a warm day and rainy.

SPARTANBURGH, SOUTH CAROLINA, July 6, 1871.

WILLIAM M. CHAMPION sworn and examined.

By the CHAIRMAN:

Question. Where do you live?

Answer. My home is in Limestone Township, in this county.

Question. How long have you lived there?

Answer. I have lived there, I reckon, four years.

Question. Are you a native of this State?

Answer. I was born and raised in North Carolina. I have been living in this State fourteen or fifteen or sixteen years.

Question. What business do you follow?

Answer. Farming and milling.

Question. Go on and state if, at any time, you have been visited by any men in disguise; and, if so, what they did and said to you, and all that occurred.

Answer. Yes—but I hate to tell it. Sunday night before the last State election, which I think was on the 19th day of October, I was visited by a crowd of disguised men. There were some who were not disguised; they were in my house, when I awoke, ripping, and tearing, and cursing, and hallooing "You d—d radical son of a b—h." There was a gentleman named Rufus Erwin staying all night with me. He woke first. I was awakened in time enough to speak, but finding they were there, I was of course a little alarmed. They were telling me to get up. He spoke and said he would get up and make a light. He was lying in the bed that my son generally laid in, and they were shooting. There was no light in the house, and as he rose up in the bed they shot him in the arm, through the left shoulder. The ball was afterwards cut out. That was the only ball I could find that was fired in the house, and I searched particularly afterwards. As to the shooting, I don't know how much to tell you was done; perhaps a hundred shots, it may be not so many, were fired in the house. They had me to get up. They suffered me to put on my shoes and hat. Mr. Erwin did not get his on. They took us about two miles.

By Mr. VAN TRUMP:

Question. Was Erwin along?

Answer. Yes, sir.

By the CHAIRMAN:

Question. Go on with your story.

Answer. They then blindfolded me, and told me I had but a few minutes to live—I will not say how many, maybe it was five minutes; it was a very short time—and if I had any praying to do, to pray. I thought of course they would kill me then, and yet I didn't hardly think it, for all they told me they were going to take me to the river and tie a rope to me, and roll us both together into the river. Somehow, there was a feeling in the breast all the way along that I would not be killed, but the abuse I would

receive I was fearful of. They blindfolded me, as I told you, and said I had to live but a certain length of time, and gave me time to pray, and they asked if I was not going to pray. I told them I was praying all I could. They took me then and led me off, and took down my shirt and breeches, and whipped me, I could not tell you how much, as much as I was able to bear. I think I was about to faint and they ceased whipping me. There were some negroes they had there, but I had never seen them. I saw when they led me to the place that there was a number of them there before they blindfolded me. Well, they made me kiss the negro man's posterior, and held it open and made me kiss it, and as well as I remember a negro woman's, too, and also her private parts, and then told me to have sexual connection with her. I told them they knew, of course, I could not do that. They struck me, and some of them begged for me. They asked how I liked that for nigger equality. I told them it was pretty tough. They told me if I voted the radical ticket they would kill me. They led me on with them, and double-quickened me back a piece. They made me whip the negro some after they took off the blindfold. I could see and knew who I was whipping. They made me whip him some—that is, one of the negroes; they had three negroes there.

Question. Go on with your statement.

Answer. I am about through with it.

Question. Did you know any of these men?

Answer. I did not personally know any of them.

Question. You say some were disguised, and some were not?

Answer. Yes, sir.

Question. Did you recognize any that were not disguised?

Answer. No, sir; I did not personally know any.

Question. How many were there?

Answer. A person so excited could hardly tell. I thought then there were forty or fifty. That crowd of negroes were not blindfolded. I saw they gave their statement in that it was seventy-five to a hundred. I saw it published in the republican paper. But how many there were I cannot state.

Question. How many were disguised?

Answer. There were but a few that were disguised. I don't remember of noticing but one.

Question. In what manner were they disguised?

Answer. They had paper faces on, in different shapes; they looked like paper.

Question. Had they hats on?

Answer. Yes, sir, of different kinds, just like ours.

Question. Had they gowns on?

Answer. No, sir; no disguise except the face; that was all.

Question. Were they armed?

Answer. Yes, sir.

Question. How were they armed?

Answer. Some had shot-guns, and some pistols.

Question. Did you know any of the negroes?

Answer. Yes, sir; I knew the negroes. I didn't see but the one I was whipping after they took off the blind—it was to his wife I was caused to do what I did.

Question. Who was the negro you whipped?

Answer. Clem Bowden. They whipped him and his wife both, and another old negro at the same time, but I didn't see them whip any of them.

Question. What reason was given for requiring you to whip the negro?

Answer. They never assigned any.

Question. How did they require you to whip him—with what?

Answer. With a hickory.

Question. They gave no reason for it at all?

Answer. I don't think that they did.

Question. Did they give any reason for whipping you?

Answer. All I could hear was because I was a "d—d old radical son of a b—h."

Question. How many lashes were laid on you?

Answer. A hundred, I reckon.

Question. Was the skin broken?

Answer. No, sir; they beat me about with their pistols and with sticks; and do you see my teeth? there is one knocked loose, and this is gone, and that one is loose, too, [showing his mouth.]

Question. Was your back bruised?

Answer. Of course it was bruised; my shirt, when I took it off, was stiff with blood; but they said they couldn't see any broken skin.

Question. Where did the blood come from, then?

Answer. From the beating and bruising; it just oozed through. It was black, and so sore that I could scarcely go anywhere for days. I could scarcely swallow. They choked me so that my throat was sore, and they beat me everywhere.

Question. Had you anything to do with the election?

Answer. They appointed me one of the managers of the election in the township of Limestone.

Question. Had you had any quarrel, or given offence to any of your neighbors, to account for this proceeding?

Answer. I have never had a quarrel with a man in my life. I have been a man that has done this: Now, the neighborhood I live in was democratic, and I joined the Union League. After I had done that, I was convinced that that was about the course we would have to pursue.

By Mr. VAN TRUMP:

Question. What was the course?

Answer. The oath they took; the constitution of the Union League.

By the CHAIRMAN:

Question. State fully what you mean by it.

Answer. I thought that would be the only safety—the Union and the Constitution—that we would have to be governed by the laws. We were sworn to protect the Constitution of the United States and the laws thereof.

Question. Had you been in the rebel service?

Answer. No, sir; I had a sore leg, and never was mustered. I was a Union man in principle when the war came, and remained so.

Question. Did that lead to any difficulty between you and your neighbors?

Answer. Not that I know of.

Question. What has been the effect of these proceedings in your township, as regards the sense of security enjoyed by the people who are republicans?

Answer. It has thrown us into the woods at night, and we are afraid to be out in day-time. I have never laid in my bed from the time I was whipped until now. When I went back home that night, Mr. Erwin and I went into a little fodder-house I had across the creek, thinking it would be secure, and they might come back. His wound had got to hurting him, too, after they had turned us loose, and after his fright was over, and we went back; it hurt him so he said he could not stay in the fodder-house—he must go to the house; and so we got up, and helped each other up there, and laid in bed from that time until day. Since that time I have never laid in my own bed, nor in my own house.

Question. Are you afraid to stay in your house?

Answer. Yes, sir.

Question. Why?

Answer. I am afraid of being visited again.

Question. To what extent does that feeling prevail in your part of the country? Are there other people who sleep out at night?

Answer. Yes, sir; I guess the whole republican party do. I suppose there are hardly any but what have laid out.

Question. Do you mean by that white and colored?

Answer. Yes, sir; both white and colored. I don't suppose there are any but what have laid out more or less. They are lying out now.

Question. Do they lie out of their houses in the woods at night?

Answer. Yes, sir; and they take the weather as it comes. We do not go anywhere else; we are afraid to go to a republican's house for fear it will be visited, and we can't go to the democrats' houses.

Question. Do you believe that this is a well-grounded fear—of these people visiting you and inflicting violence upon you—that drives you out?

Answer. I do; you can look at that letter, and see whether you think I am wrong in my feelings, (producing a letter.)

Mr. STEVENSON. I will read it:

“HEADQUARTERS KU-KLUX CLAN, *Algood, S. C.*

“Mr. BUSTER CHAMPION: We have been told that our visit to you was not a sufficient hint. We now notify you to leave the country within thirty days from the reception of this notice, or abide the consequences.

“K. K. K.

“NOVEMBER 8, 1870.”

Question. How did you come into possession of that paper?

Answer. It came from other hands; I can't exactly tell how it was contrived to come to me; you see I don't stay at home.

Question. Did your wife give it to you?

Answer. Yes, sir; when I went down, she handed it to me.

Question. Where did she say she got it?

Answer. I think one of Blake's daughters brought it. She said that William Doggett brought it from the post office at Limestone Springs.

Question. Did it come in that envelope ?

Answer. I think that is the envelope ; it has the postage-stamp on it, and here is another one I got, (producing another paper.) That is another one I received. I bought a little mill—

Question. Has it any connection with these two acts of violence ?

Answer. I don't know.

By Mr. VAN TRUMP :

Question. How do you know which paper came in that envelope ?

Answer. This last one was separate.

Question. How do you know that that is the envelope in which the Ku-Klux notice came ?

Answer. I do not ; but if you will look on the envelope for the mark " K. K." or " Al-good," that is the one.

By the CHAIRMAN :

Question. Have you any actual knowledge of any other person being whipped or injured in that vicinity by masked men ?

Answer. Of course ; I do not know who all to tell you.

Question. We do not want you to give information except from actual knowledge, but have there been numerous instances ?

Answer. They were numerous.

Question. When did it begin ?

Answer. It commenced with the negroes a little before they whipped me. I was the first white man I have heard of their whipping.

Question. The first in this county ?

Answer. Yes, sir ; in this county. Perhaps they might have whipped one or two, or killed them or something, but as to the Ku-Klux, I, of course, saw it in the paper and read it, but I could not think it would have any bearing at all. I thought if there was such a thing they would visit some low down class and frighten a few and scare the negroes. I did not think about the thing as it is. There was a gentleman, Mr. O. P. McArthur, who generally talked in favor of the Ku-Klux. I put it up to be a great bugaboo. We talked a great deal about it. I told him that as to the Ku-Klux I would not be afraid of it. He contended that there were as good men as we had in society who were Ku-Klux. I told him he need not argue such a doctrine ; that I knew no Christian-hearted or civilized man would be a Ku-Klux. You see there were numerous instances before.

By Mr. VAN TRUMP :

Question. Where does he live ?

Answer. He lives in Limestone Township. He is absent now.

By the CHAIRMAN :

Question. Is he the man that was arrested for being with the party that whipped the negroes that night that they whipped you ?

Answer. Yes, sir.

Question. Do you know where he has gone ?

Answer. No, sir ; I do not.

Question. Is he in this county now ?

Answer. No, sir ; I guess not.

Question. Was he a neighbor of yours ?

Answer. Yes, sir ; and we were friends, so far as I knew, except the difference or politics.

Question. How soon after this occurrence did he leave ?

Answer. Right away ; straight away.

Question. Is there any knowledge as to where he is ?

Answer. He has written back letters, but I don't know that I can tell you where from.

Question. Any letters to you ?

Answer. No, sir.

By Mr. STEVENSON :

Question. Is he in this State ?

Answer. No, sir. I did understand that he had come back as far as Georgia. He had gone west somewhere.

By the CHAIRMAN :

Question. How did you know it was a black woman about whom you made this disgusting statement ; you were blindfolded ?

Answer. Yes, sir ; I was blindfolded when they made me do that ; but the reason I

know, almost, that it was a black man is, you know, a person can tell by the smell; and then the next day I found out that it was this negro's wife.

By Mr. STEVENSON:

Question. What is the feeling among the colored people in that neighborhood?

Answer. The colored people in that neighborhood are republicans throughout. There were only one or two but what were republicans until this turned out; now they are afraid, and a good portion of them have run away from here—I suppose more than half of them. I don't know how many. They are afraid, I guess, sir, to tell anything.

Question. What was Mr. Erwin?

Answer. He was a republican.

Question. Was he an officer of the election?

Answer. No, sir.

Question. Was he not a manager?

Answer. No, sir.

Question. Did they whip any other manager of the election that night?

Answer. No, sir. They said they allowed to kill Quinn Camp's son, John or Jo. He was a manager.

Question. What did they do with Erwin except to shoot him?

Answer. Nothing.

Question. Did they take him out?

Answer. Yes, sir; they took him with me.

By Mr. VAN TRUMP:

Question. Did I understand you to say they took Erwin along out with you, and that he was present and saw all this?

Answer. Yes, sir.

Question. Where is he?

Answer. He is at home.

Question. Where does he live?

Answer. In Limestone Township, not far from where I live.

Question. What is his first name?

Answer. Rufus.

By Mr. STEVENSON:

Question. What is his business?

Answer. Farming.

Question. Did he and you own your lands?

Answer. No, sir; he didn't own any land. He was living on his father-in-law's land.

Question. Did you own your land; are you a land owner?

Answer. Yes, sir; I own a little land, and a little mill.

By Mr. VAN TRUMP:

Question. At what time did these men come that night?

Answer. I think about 11 o'clock.

Question. On foot or on horseback?

Answer. On horseback.

Question. Did you form any estimate of these men?

Answer. I thought there were forty or fifty. There might not have been so many, and might have been more. Last Sunday I noticed the cavalry and I think there might have been as many as that. You see I was looking at the cavalry as it rode along.

Question. You compared the members of the cavalry in a given space with the number of those men?

Answer. Yes, sir, and I did not think then there was as many as I had thought. But there might have been. There were more with the negroes when I got there. They were out in the bushes.

Question. What time of night was it?

Answer. About 11 o'clock when they got to my house.

Question. What sort of a night was it?

Answer. I think it was, as well as I remember, a fair night. I know the moon rose about the time we got where they took us.

Question. How many of these men were without disguises?

Answer. I saw only one.

Question. Did you know him?

Answer. I didn't recognize him.

Question. Was it because it was too dark or because you did not know the man at all?

Answer. No, sir.

Question. Did you see him plainly enough to see that you were not acquainted with him?

Answer. Yes, sir.

Question. You saw he was the only one without disguise?

Answer. That was the only one I saw in the house, but after that I could not see.

Question. You said the greater portion of them were disguised, but some were not disguised. You say now you saw only one in a mask?

Answer. That was the only one I saw.

Question. Did they ride to your house?

Answer. No, sir. They tied their horses up at the fence somewhere above the house.

Question. How many of these men came into the house?

Answer. I don't know; the house was full.

Question. What was the first remark made to you?

Answer. When I first awoke they were in there, and cursing and saying, "Where is Champion, the d—d old radical s—n of a b—h. Get up, we have come after you."

Question. Did they appear to be after Erwin too, or only you?

Answer. I do not suppose they knew Erwin was there.

Question. Was Erwin sleeping in the same room with you?

Answer. Yes, sir.

Question. And he awoke first?

Answer. Yes, sir.

Question. Did he say anything to them when he awoke?

Answer. Yes, sir; they said to get up and make a light; he said he would get up and make a light.

Question. Did he get up and make a light?

Answer. Yes, sir.

Question. And as he rose in the bed, he thinks he received that wound?

Answer. Yes, sir.

Question. Were the beds side by side?

Answer. One was one side of the house and the other on the other side.

Question. Did they know which bed you were in and which bed Erwin was in from your voices?

Answer. I think there must have been some one there who knew my house, and knew the condition of my house as well as I did, and all about it.

Question. What was said when the shot was fired?

Answer. Nothing at all, only just cursing, and ripping, and tearing.

Question. Did Erwin raise from the bed before he received the shot, or was it afterwards?

Answer. He thinks it was after he raised up.

Question. You think they were after you more than Erwin, if they were after him at all?

Answer. I do not suppose they knew he was there at all.

Question. How do you account for their shooting Erwin instead of you?

Answer. My notion is this: My son is a young man—a stout young man—and generally laid in the bed Erwin laid in that night. When Erwin spoke and raised up, of course they must have thought it was my son, and expected him to make some retaliation in some way or other, and fired on him. That is just my opinion.

Question. How far did they take you from your house before they commenced this most disgusting matter that you speak of?

Answer. About two miles.

Question. What purpose did they say they had in taking you so far?

Answer. They said they were going to take me to Broad River.

Question. What is the distance to Broad River from your house?

Answer. I don't know how far; seven or eight or nine miles.

Question. Going along they said they were going to take you to Broad River?

Answer. Yes, sir.

Question. And they took you only two miles?

Answer. Yes, sir.

Question. Where did you first discover these negroes?

Answer. Right there where they blindfolded me. They led me a few steps after they blindfolded me.

Question. You were not blindfolded in traveling the two miles?

Answer. No, sir.

Question. How did you go?

Answer. Walked and ran, together.

Question. You did not see these negroes until you came to the place where they punished you?

Answer. No, sir; I never saw them; they blindfolded me.

Question. Where did they blindfold you?

Answer. Right at the place.

Question. When these scenes occurred did you see other people there?

Answer. Yes, sir.

Question. How many?

Answer. I could not tell.

Question. Was this place where they stopped you on a road or in the woods?

Answer. They took me right on a road. It was off the road but it was right by the side of the road where they had these negroes, and this other crowd was there with these negroes.

Question. As soon as they got you there they blindfolded you?

Answer. Yes, sir.

Question. Did you know these negroes?

Answer. No, sir; I never saw but one of the negroes at all, and that was the one I whipped.

Question. Have you seen them since?

Answer. Yes, sir.

Question. How many are there?

Answer. Three.

Question. Have you seen the woman since?

Answer. Yes, sir.

Question. How did you know it was the same woman?

Answer. She told me she was the woman.

Question. That is the only way you knew it was her?

Answer. Of course; that is the only way I knew positively.

Question. I will ask whether, before this trouble you had with those unknown parties, you had been a trial justice.

Answer. Yes, sir.

Question. Had you many cases before you between white men and negroes?

Answer. Not very many.

Question. Had you not been in the habit of pretending to read the law to the negroes, saying that they were not bound to leave the premises they were on when their terms expired, but were entitled to stay there under the law?

Answer. Well, I have had some such chat as that. I have read the law on that.

Question. You claimed to instruct the negroes that they were entitled to a home-stead even on a white man's premises after the lease had expired?

Answer. No, sir, I have never done that.

Question. Have you associated pretty generally with the negroes there in your neighborhood?

Answer. I have associated just this far: I was a republican and it drew the negroes to a person. I showed friendship to the negroes; I have never visited their houses and I have not been in one since the surrender nor before more than two or three times, or if I have I don't know it; or if there is a time when I have eaten with one I don't know it.

Question. You say you united yourself with the Loyal League as their equal?

Answer. Yes, sir.

Question. Are they not made up of black men?

Answer. Yes, sir; but I am speaking of houses.

Question. You united yourself with the Loyal League, which was made up of negroes?

Answer. Yes, sir, and a few whites.

Question. But a very few whites?

Answer. Yes, sir.

Question. Have you not endeavored to impress the negroes' minds with the idea that they were the equals of the whites in social life?

Answer. No, I have never done that because I knew this generation never could do that. I knew that it would bring social equality this far: that we would be obliged to associate with the negro enough for his friendship; that is, we would neighbor with him and would be friendly to him. We would be obliged to do that. Every public man would be compelled to do that.

Question. I ask you whether, while telling them their political rights, you have not added to that that they were entitled to all social relations with the white people, and if this was not given to them they ought to fight for it?

Answer. No, sir.

Question. You deny that?

Answer. Yes, sir, I deny that.

Question. What did you swear about it when you entered the Union League?

Answer. I swore to protect the Constitution and laws of the United States in the State in which I lived.

Question. That was all right. Was there nothing further than that?

Answer. That was all, and to support all honorable men of the party.

Question. Did you not swear to support exclusively republican citizens?

Answer. Yes, sir.

Question. Did you not swear that you would not trade with citizens of the other party?

Answer. No, sir.

Question. You do not recollect that ?

Answer. No, sir ; there was no such oath.

Question. What else was in that oath except to support the Constitution of the United States and of the State ?

Answer. We intended to fight to protect the Constitution and the Union.

By the CHAIRMAN :

Question. Have you a copy of that oath ?

Answer. No, sir, but you can have a copy.

The CHAIRMAN : I wish you would send it to us.

By Mr. VAN TRUMP :

Question. Had you any armed negro companies there ?

Answer. No, sir.

Question. Had the negroes any arms ?

Answer. No, sir. They might have had some arms.

Question. I mean generally armed ?

Answer. No, sir.

Question. There were no military organizations in Limestone Township ?

Answer. No, sir. They commenced forming a company.

Question. When ?

Answer. Long before I was whipped.

Question. Before the election ?

Answer. Yes, sir.

Question. But not long before the election ?

Answer. Not long.

By Mr. STEVENSON :

Question. In what portion of the county is Limestone Springs ?

Answer. It is in the northeast part of the county. I live within three miles of it.

Question. Glen Springs, where Mr. Genobles lives, is southeast of Spartanburgh, is it not ?

Answer. I don't know.

Question. Do you know how far that is from where you live ?

Answer. I do not exactly.

Question. Are those people still riding about there ; do you hear of them ?

Answer. I suppose they are.

Question. When do you commonly hear of them ?

Answer. I have heard of them since I have been here at this place—it was last week—that they had been whipping a parcel over there ; that is only what I hear. They have been sort of quiet as to riding there for a right smart little spell, but I have understood that they whipped some last week, or week before.

Question. Why do the people continue to stay in the woods ?

Answer. They are afraid to stay in their houses on account of threats.

Question. Are these threats still going on ?

Answer. Of course they are. If I had had any sense at all, I would have known that they were coming to visit me.

Question. Why ?

Answer. A little while before I was visiting Dr. Turner ; there was a corn-shucking ; after night they sent for me, and as he was a neighbor I concluded I would go ; and after I went the chief topic of conversation was Ku-Klux, Ku-Klux, Ku-Klux, and one Turner said they had got after him that night and scared him ; and we talked on and on and kept the chat going, and this O. P. McArthur was there putting up the Ku-Klux in every shape and form.

Question. What do you mean by putting it up ?

Answer. Talking and talking.

Question. Bragging it up ?

Answer. Yes, sir. At last we began to talk about the election, and the organization of the negroes. I told them that was done ; it was no secret thing ; that I saw a company of the negroes made up. They said that they were going to fetch the negroes to the ballot-box and make him guard the box ; that is, they said that was what the republicans were going to do. I told them I had heard nothing of that, but if they were needed, and the Government sent them there I should not interfere, and if the United States troops came there I should not interfere ; that they had appointed me manager—

By the CHAIRMAN :

Question. Is all this necessary to tell why you ought to have known ?

Answer. Yes, sir.

Question. Come to that point as soon as you can.

Answer. After I told them I was appointed a manager, and I should endeavor to give justice; that if the republicans could fill the box they were welcome, and if the democrats could fill the box they were welcome to do it; that it should be a free ballot, and if there was any interference I would execute the law as far as I could, he said it would be a powerful time there. I told him I thought not; that I thought the people would be subject to the civil law. He said he had been a manager and how they had done, and that he was a good man to make peace. I told him, "McArthur, when you were manager the republicans could have his end kicked or head knocked off and was not allowed to go to the polls, and I have never heard of a case of it coming to the law." He said the law ought to have been prosecuted; he said I would see. When I went to start home he followed me down to the bars, and he seemed like he had got wrathful. I told him I was for the civil law and should do all I could to execute the civil law, and after we parted pistols were fired; I don't know how many went off.

By Mr. VAN TRUMP:

Question. Now, all this long story about McArthur is about a man of whom you do not know where he is?

Answer. No, sir; I don't.

By Mr. STEVENSON:

Question. You speak of the whole crowd, and you thought from their conversation and manner that you ought to have known that you were in danger?

Answer. Yes, sir.

By Mr. VAN TRUMP:

Question. And you say McArthur was present all the time?

Answer. Yes, sir.

SPARTANBURGH, SOUTH CAROLINA, July 6, 1871.

MARGARET BLACKWELL sworn and examined.

By the CHAIRMAN:

Question. Where do you live?

Answer. Close to the battle-ground.

Question. What battle-ground?

Answer. The old battle-ground.

Question. Cowpen's battle-ground?

Answer. Yes, sir.

Question. Are you married or single?

Answer. Single.

Question. Does your father live there?

Answer. No, sir.

Question. Who do you live with?

Answer. Brother Tench Blackwell.

Question. Do you know of any men coming to his house recently and whipping him, or doing anything to him?

Answer. At brother Jason's I do.

Question. Where is that?

Answer. He lives there within a mile and a half of Tench's.

Question. Please state what occurred; state what took place?

Answer. Well, Thomas Davis I can swear to. They came a Ku-Kluxing; they bursted in and came in at the door crowding.

Question. How many?

Answer. I can't tell you.

By Mr. VAN TRUMP:

Question. Were you at Jason Blackwell's?

Answer. Yes, sir.

Question. Go on with your statement.

Answer. He asked for Jason and arms; they were told there was no arms there. I don't know as we told them there was no arms there, but anyhow they asked for Jason and arms, and went on in the house and bursted open a big box of tobacco and slung it all out; and then Thomas Davis he called for a pine and there wasn't any, and he said, "Give me the broom;" and then Mr. Cash—Ben Cash—I took it to be his voice, but I will not say it was his, for I couldn't see him, but I think it was—

By the CHAIRMAN:

Question. Why could you not see him?

Answer. Because he was disguised. They were all disguised but Thomas Davis; he had only a small one, so I knew him.

Question. Go on with your statement.

Answer. John Black knocked me over the head twice with a repeater, and kicked me out of the door; and that is all I know.

Question. Did they say what they wanted with Jason?

Answer. They were coming to kill him.

Question. Did they give any reason?

Answer. It was because he was a republican.

Question. Did they say so?

Answer. Yes, sir.

Question. Who said that?

Answer. I don't know which one it was. They was all through other until they went to eating down on the hearth.

By Mr. STEVENSON:

Question. What were they eating?

Answer. Rabbit and bread, I think, and peas.

By the CHAIRMAN:

Question. Did they bring them with them?

Answer. No, sir; they were cold victuals kept from supper, and there was some rabbit kept from breakfast. The children wanted some—

Question. What time of night was this?

Answer. I don't know what time of night; I reckon it was betwixt midnight and day. It was not very long until day come after they left.

Question. How many of them were there?

Answer. I can't tell you.

Question. How many do you think there were?

Answer. Somewhere, may be, about twenty-five, or somewhere along there. I don't say certain.

Question. Had they arms?

Answer. They had repeaters; they were firing; they came up to the house firing.

Question. Did you see their repeaters?

Answer. Yes, sir; some. I didn't see them all, I don't reckon.

Question. Did they come there on horseback, or on foot?

Answer. On horseback, far as at the draw-bars; they never fetched none to the house.

Question. Where was Jason?

Answer. In the woods, I reckon. He left for there before night; he generally staid in the woods all the time.

Question. Why did he do that?

Answer. He was afraid of the Ku-Klux.

Question. What caused him to be afraid of the Ku-Klux?

Answer. Why, they are always riding about, and the radicals up there are afraid.

Question. Are they pretty much all afraid?

Answer. One is more scared than another; but all pretty much.

Question. Is that a general practice of the radicals there?

Answer. Yes; every once in a while.

Question. Every once in a while they go out to sleep?

Answer. They go out all the time to sleep, but the Ku-Klux come every four or five weeks, or oftener, may be, they come along. I don't keep the time.

Question. Have you known of their being there, in that neighborhood, at other times than the one which you have mentioned?

Answer. I heard tell of their being at places, but never saw them.

Question. Do more than the men go out to sleep?

Answer. My mother and me and my brother and the children have been lying out now.

Question. For how long?

Answer. Some two months and a half.

Question. Why did you go out?

Answer. I am afraid of them,

Question. Are you afraid for yourself?

Answer. Yes, sir; I am afraid of them.

Question. Is that the feeling of the women there?

Answer. I reckon it is. They won't any of them stay in the house.

Question. How long has that been the case?

Answer. About two months and a half. I am afraid of them, candidly I am. Every night that passes over my head I fear, and it is on the ground, too, in the woods; not in the house. I am afraid to go to a neighbor's house, and if there was anything I had ever done that I should be afraid I don't know it; but there was nothing. And yet, as I told you, he knocked me on the head and kicked me out of the house.

Question. Did they say anything at your brother's except that he was a radical?

Answer. That was all. They called him a "d—d radical."

Question. Had there been any arms kept in his house?

Answer. None, only a gun he had of Mr. Easel. He bought it since. He had that there then.

Question. Were there any other arms that he kept there?

Answer. Not that I know of.

Question. Who struck you over the head?

Answer. John Black.

Question. Have these men, Black and Davis, been arrested?

Answer. Davis is; Black is not.

Question. How were they disguised?

Answer. Some had black cloth faces; some wore knit faces. Tom Davis's wasn't a large one, only a small one, and I knew him.

Question. Had you been acquainted with him before?

Answer. I have been acquainted with him all my life. I would see him of a Sunday, and I am sorry to think of him.

Question. How far from your brother's does Tom Davis live?

Answer. I have never been there in my life. He is a rude, drinking boy. It isn't very far.

Question. Is he an old or young man?

Answer. He is a young man. He was married this day a week ago.

Question. What does his father do?

Answer. He is dead; he was a farmer. Tom Davis lives with his mother on the place.

Question. What does Black do?

Answer. He was 'tending to a grocery; his mother told me last week he was; she was at our house.

Question. Where is he?

Answer. He is away down toward Union; a right smart piece; I don't know exactly where.

Question. You say some had disguises; had they head coverings?

Answer. Yes, sir.

Question. What sort of covering?

Answer. Of the same sort as the face.

Question. Had they long dresses or gowns?

Answer. They come down about the knees. I think they were of cloth. They were white.

Question. Is this an account of the whole proceeding?

Answer. Yes, sir.

Question. Who else was in the house besides yourself?

Answer. My mother, my sister-in-law, and her children.

Question. How did you happen to be at Jason's?

Answer. We had a piece of cloth, and I was there weaving it, and my mother was filling a quilt. My mother is here in town now.

Question. Does she know of any other transaction of this kind than the one you are telling about?

Answer. I reckon she does.

By Mr. VAN TRUMP:

Question. Margaret, how old are you?

Answer. I will be twenty-two on the 25th of this August.

Question. You live near the battle-field of Cowpens; how far is it from Limestone Springs?

Answer. I don't know. It is seven mile this side of Allen Ford.

Question. How long had you been up at your brother Jason's before these men called to see you that night?

Answer. Some days we would be there weaving and some days at home. I can't tell just how long.

Question. Had you laid out at night before that?

Answer. Us women?

Question. Yes.

Answer. We had just before election, but not just before that.

Question. When was this occurrence at Jason's?

Answer. I can't tell exactly the time.

Question. Was it in March?

Answer. I can't tell you.

Question. Was it in February?

Answer. I can't tell, for everything was up and flying. We were all so that I hardly knew the days of the week.

Question. Was it in January?

Answer. I can't tell you; I can't tell you at all. I disremember.

Question. I do not ask for the exact date, but state about the time. State it as nearly as you can.

(No answer.)

Question. Do you know you are bound to give your best information?

Answer. Yes, sir.

Question. You know what an oath is?

Answer. Yes, sir.

Question. If you cannot tell the exact time state it as near as you can.

Answer. I couldn't tell if I was on my hanging gallows.

Question. You cannot tell whether it was January, February, or March?

Answer. No, sir. Jason can tell, maybe.

Question. Was it in April?

Answer. I can't tell you.

Question. How many weeks ago was it?

Answer. Maybe two months and a half, I expect.

Question. Can you explain why it is, if it was two months and a half ago, that there has never been any prosecution whatever about it until this committee came here to Spartanburgh?

Answer. Why, it was everywhere pretty much.

Question. You cannot tell why that was?

Answer. No, sir

By Mr. STEVENSON:

Question. What do you mean by "everywhere pretty much?"

Answer. The news of their being there at Jason's. When they go anywheres it will be all over the country.

By Mr. VAN TRUMP:

Question. You cannot tell the reason why this prosecution was not commenced until this committee came?

Answer. I don't know. That laid in the boys' hands. They could have done it, I suppose, if they would.

Question. According to your best impression it was about two months and a half ago?

Answer. I think so. I don't know whether it was over or not.

Question. You say none of your people slept in the house. Do you know that a great many strange men sleep in your house?

Answer. Sir?

Question. Do you know that a great many strange men sleep in your house?

Answer. That sleeps in it? I don't know whether there is or not. I know we are not there of a night. I am not at home of a night. I have not staid a night at home for two months and a half. I am afraid. I don't go even to the settlement.

Question. Previous to two months and a half ago, and between that time and the election, had not a good many men slept in your house?

Answer. No, sir.

Question. You say that?

Answer. No, sir. I don't think there had been.

Question. How did you get acquainted with Tom Davis?

Answer. He is a settlement boy, and I have seen him Sundays. He is a sort of drinking boy. Tench's is where I see him mostly. He hardly ever came to mother's.

Question. Did he ever call to see you?

Answer. No, sir.

Question. Have you any sisters?

Answer. No, sir, only a baby one. I have some sisters who are married.

Question. How many of these men were there?

Answer. I can't tell.

Question. How many do you think you saw?

Answer. I can't tell you how many were there.

Question. You say you recognized this man Davis because he had on a smaller disguise than the others?

Answer. Yes, sir.

Question. What did you mean by that?

Answer. I could see him. He had only a little small one on his face.

Question. Did it not cover all his face?

Answer. No, sir.

Question. What sort of a disguise was it?

Answer. You could see the side of his face and the back of his face.

Question. Was it a peculiar shaped head?

Answer. Yes, sir.

Question. Different from other men's heads?

Answer. No. I just knew Tom Davis as good as I ever knew him.

Question. How? By what marks?

Answer. Why, it was just Tom. I knew him.

Question. Did you see his face?

Answer. I saw the side of his face as good as I ever saw.

Question. What sort of a mask was it?

Answer. He had a little bit of a face on, and it got one side.

Question. Did it come to his eyes?

Answer. It did on one side.

Question. Could you see his mouth?

Answer. About half of it.

Question. Could you see his eyes?

Answer. Could on one side.

Question. What sort of eyes has Tom Davis?

Answer. Dark eyes.

Question. Dark brown or dark gray?

Answer. Dark eyes.

Question. Which, brown or gray?

Answer. I think dark brown.

Question. What sort of hair?

Answer. Sort of dark brown.

Question. What is his height?

Answer. I can't tell. I can't answer any more questions now.

Question. Did you speak to Tom at all that night?

Answer. No, sir.

Question. Did he speak to you?

Answer. No, sir.

Question. Did you hear him speak?

Answer. Yes, sir.

Question. Who did he speak to?

Answer. He hallooed for a pine, and there wasn't any pine, and he said, "give me a broom."

Question. What did he want with it?

Answer. To make a light I reckon.

Question. Did he get the broom?

Answer. I don't think he did.

Question. What did he make a light with?

Answer. He got something to make a light.

Question. Where was Tom Davis when you first saw him in the light?

Answer. Right before the fireplace, where they made up a fire.

Question. Did you hear his voice before the light came in?

Answer. Yes, sir.

Question. Did you think it was his voice then?

Answer. Yes, sir.

Question. I suppose you have sworn before the United States Commissioner that it was Tom Davis, have you?

Answer. Yes, sir.

Question. What did Ben Cash do?

Answer. He was sitting before the fire, eating and laughing and talking.

Question. He did not offer any violence to any of you?

Answer. No, sir.

Question. Just called for Jason?

Answer. Yes, sir.

Question. How did you know it was Ben Cash?

Answer. It just went with his voice.

Question. What sort of a disguise had he on?

Answer. He had a tolerable one. I didn't see his face; only his voice.

Question. Was his mask knit or all cloth?

Answer. I can't tell. It was white.

Question. Who is John Black?

Answer. He is just John Black, a widow woman's son.

Question. Where does he live?

Answer. Right close to us. He is 'tending a grocery.

Question. He had no disguise on?

Answer. Yes, sir; he had on a small one—just a face.

Question. His mask, as well as that of Davis's, was too small to do him any good?

Answer. Yes, sir. I think they must have been drinking or something or other, for they had them just tied behind.

Question. Do you not know that was merely a frolic of these young men?

Answer. I don't know it.

Question. Had there not been a good many frolics at your house?

Answer. No, sir.

Question. You say that?

Answer. No, sir. There hadn't.

Question. Men did not usually come there at frolics?

Answer. No, sir. You see Jason's house is not my house, and we didn't have frolics at my house.

Question. How about Tench's?

Answer. They come to play the fiddle and frolic right smart.

Question. Did they do anything else but play the fiddle?

Answer. They would dance some and play around.

Question. You say you know John Black right well.

Answer. Yes, sir.

Question. A young man?

Answer. Yes, sir.

Question. Unmarried?

Answer. No, sir.

Question. Did he ever call to see you or any girls at your house?

Answer. No, sir.

Question. What made him kick you?

Answer. I don't know.

Question. What did he say when he kicked you?

Answer. Don't remember what he did say.

Question. Was there any reason why he did so ungentlemanly an act?

Answer. Why him and Jason was on a little spree a little while ago, and they fell out. Jason was drinking and John was drunk, and he drew his repeater on Jason, and I snatched his repeater to keep him from killing Jason.

Question. How long was that before this trouble?

Answer. It was some time. I don't know how long?

Question. Six months?

Answer. No, sir; it wasn't six months.

Question. What were they quarreling about?

Answer. They had been at the still, and had been drinking. I don't know what they were quarreling about.

Question. Were you present?

Answer. Not at that time; but I heard the row and went to them.

Question. Were you there when the pistols were out?

Answer. Yes, sir; but I never heard what it was about.

Question. You never heard your brother say what it was about?

Answer. No, sir; I never heard him say what it was about.

Question. What did John Black do after he kicked you out of the doors?

Answer. Nothing at all. He just asked me what I took the repeater for?

Question. Now, you recollect that he just asked you why you took the repeater from him?

Answer. No, there was another fellow when they first come in. You are making me talk too fast. Give me time to study, and I will answer. I have answered questions now, but I don't want to answer any more. I have told you all I know.

Question. Did I understand you a moment ago correctly, as saying that just as he kicked you out of the door he asked, "Why did you take that repeater from me?" Did you say that?

Answer. Yes.

Question. Why did you say a while ago that he said nothing?

Answer. I was just a studying. You see, yesterday at the trial down here there was such a hubbub amongst them that they fairly deranged my mind.

Question. Then he did kick you because you took the repeater out of his hand when he was quarreling with Jason?

Answer. He asked me their names. He asked me my name. I said, "I am Jason Blackwell's sister." Says he, "Is it Margaret?" I said, "Yes." He said, "You are the d—d b—h that took the pistol from me when your brother and me had that fuss."

Question. Was that all?

Answer. That is all. Now, I have answered all your questions. I can't answer any more questions at all.

The CHAIRMAN: Answer all questions that are put to you.

By Mr. VAN TRUMP:

Question. He asked you who you were in the first place before he touched you that night?

Answer. Yes, sir. I didn't think of that a while ago when you were talking. You are asking me too fast.

Question. You told him you were a sister of Jason's?

Answer. Yes, sir.

Question. And he then asked you if it was Margaret?

Answer. I can prove what he said by two witnesses more.

Question. Was that conversation before or after the light was struck?

Answer. It was after the light was struck. I don't know. He asked me that question.

Question. You know whether John Black knew you—you had seen him and he had seen you often before that?

Answer. Of course he knew me, but he asked me.

Question. Did it not surprise you that he should ask you such a question?

Answer. Yes; but I said nothing, but just told him.

Question. As soon as you said you were Margaret he commenced kicking you and said, "You are the d—d b—h who took the pistol from me?"

Answer. Yes, sir.

Question. And all that you failed to think of when Senator Scott was questioning you as to what took place there?

Answer. I couldn't think of it. I told Mr. Fleming a while ago, and he told me to take my time and tell all that I knew.

Question. You have been talking to Mr. Fleming?

Answer. Yes, sir.

Question. Where did you see him?

Answer. Down stairs.

Question. You mean the auditor of the county?

Answer. Yes, sir.

Question. What is his full name?

Answer. I don't know.

Question. Is it McGill Fleming?

Answer. Yes, sir.

Question. Where did he see you?

Answer. Down-stairs.

Question. What did he talk to you about?

Answer. About coming up-stairs. He said I would be next.

Question. What did he say?

Answer. Nothing. He just told me to take my time.

Question. You could not think of this conversation between you and John Black when you were testifying in answer to Senator Scott, and did not first answer me when I asked you what was said by Black?

Answer. I was asked too fast. You go too fast. I am sort of slow minded. Give me time and I will tell it as soon as I can.

Question. Where is John Black?

Answer. At the grocery.

Question. Why was he not arrested?

Answer. I don't know.

Question. You do not know much about this trial that was going on in another part of this town, in which you were a witness yesterday; you do not know why John Black was not arrested?

Answer. No, sir, I don't.

Question. And he was the only man who committed any violence that night according to your testimony?

Answer. No, sir.

Question. Nobody else kicked you or struck you but him?

Answer. No, sir.

Question. And yet he has not been arrested?

Answer. No, sir; I don't know that he has been. I have not asked nobody

SPARTANBURGH, SOUTH CAROLINA, July 6, 1871.

CLEM BOWDEN (colored) sworn and examined.

By the CHAIRMAN:

Question. Where do you live?

Answer. I am now living in this place.

Question. Where did you live before you came here?

Answer. About three miles northwest of Limestone Springs.

Question. Were you there last October?

Answer. Yes, sir; I have been there two years.

Question. What were you doing?

Answer. Farming. I had leased a place, and supported my family on a farm. I myself worked about. I was clearing up a plantation, and starting it.

Question. Were you taken out at any time there and whipped last October?

Answer. Yes, sir.

Question. Begin at the beginning, and tell us the occurrence.

Answer. I was whipped; I can't tell the date; it was about the last close of the foddering business.

Question. Tell what occurred.

Answer. On a Sunday night I was taken out. When they first came to me I was in a chair asleep, and had not stripped. My family had laid down on the bed. The first thing I heard was the report of pistols, and men going around my house, and then they ran against the door, and by this time a portion of them got around on the other side to the other door, and ran against it and burst it open; and when they bursted the door the first words were, with an oath, "Come out here;" and they ran in, but did not come far. They came in the house and laid hold of me, and some of them came in at the other door, and the house was guarded. They pulled me out of the door. They went to the bed and pulled my wife out. There were so many that I could not hear what was said. They led me out of doors. They made my daughters kindle a light, and searched for guns and weapons, but I had none. Then they took me off, I think perhaps three-quarters of a mile, to a black man's house, who was living on a piece of land there, and they stopped there and whipped him.

Question. What is his name?

Answer. Daniel Lipscomb. Then they took me past that out into an old field. At his house they blindfolded me. They took me into an old field and made me strip. They had taken my coat off and put it over my head to blindfold me. They put a halter chain that was used on oxen around my neck, and I had to tell them that if they did not loosen it they would choke me so I could not travel, before I got to the place where they stopped. When they got there they broke my gallowses off, and stripped my shirt up. It was pretty tight and they did not take it off, but stripped it up to the neck and left it there, and pulled my pants down and made me lie flat on the ground; and then gathered brush, took little strips, jerked limbs off of the trees, and beat me with that kind of things until I didn't know whether I would ever be able to go away from there. But through the Merciful Master I did get away.

Question. What did they say?

Answer. They said a heap, but they said some things I recollect. They asked me about making up a company adjoining there. I told them I was not at the place, and in fact I was not. They asked me if I was not appointed manager of the election there. I told them I supposed I was. I was told so. They said if I went to that election they would come back and kill me. They whipped my wife at the same time.

Question. Did they take her out at the same time?

Answer. Yes, sir. They said to her, "I reckon you will be at Quinn Camp's, lying about this, and it will be the last of you if you do."

Question. Was he a trial justice?

Answer. Yes, sir; one of the nearest neighbors. They asked me if I was not going to vote for Governor Scott. I told them if I voted at all, I would. They said if I did, I would not vote any more. It was so said that there were some of them from Columbia there that night, and had seen Governor Scott that evening.

Question. They said that to you?

Answer. And they said I had said I was going to commence on the white people at the cradle, and kill from that up. I told them I had never thought of such a thing, and I never had. They said this, signifying that they whipped me for it.

Question. Was that all?

Answer. About then the crowd that had the white gentleman that they persecuted was coming up, and they supposed they were coming to our relief, and they scattered out and formed a line preparing for battle, but when they found it was their own men they came back and did not whip me but four or five licks; and then they uncovered my head and went on to make him kiss me, to be on nigger equality. That was the only time my head was uncovered. They made him kiss my head and then made him kiss my behind, and made me tell them when his mouth was at the place, for they could not see; and all such language as that, they did the same way. I think that is about all that I know that they did.

Question. Did they require him to whip you?

Answer. Yes, sir; but I am not right certain whether they made him strike me more than five licks or not, but they made him strike me five. I am not really certain whether they did make me strike him or not, for I was so nearly beaten to death that I can't hardly tell what was done.

By Mr. VAN TRUMP:

Question. I understand that they did make you strike him?

Answer. Yes, sir; and they struck me because I could not hit him harder; because I had got so weak.

By the CHAIRMAN:

Question. Had you been taking part in politics?

Answer. No, sir; nothing at all; only there was a Union League society there, and I had attended it for two years; but I was very cautious, because I was a workman about the country, and was very careful never to put it so as to sustain any injury.

Question. What sort of a workman are you?

Answer. I am a house-carpenter; and I was very particular on that account, thinking that nobody would have anything against me keeping myself in that way. But it was just the principles I profess—the republican principles I profess—and of my being appointed a manager of the box.

Question. Can you read or write?

Answer. No, sir; I can sort of read in print, but I am not anything like a good reader.

Question. When did you learn to read?

Answer. When I was a boy, fifty years ago.

Question. How old are you?

Answer. I am now sixty-one.

Question. Were you raised in that neighborhood?

Answer. No, sir; I was raised between here and there. I lived here a good part of the time. I was born eight and a half miles from this place, between here and there.

Question. How much was your wife whipped?

Answer. Until she was helpless. When we got home we could not kindle up a fire to warm ourselves by, if our children had not been there to kindle it for us; she could not get up next morning when morning came.

Question. What reason did they give for whipping her?

Answer. They threw up to her that she had said she could kill one democrat; and that she might have taught me better than to be a radical. These two words were all I heard for whipping her.

Question. How were these men dressed?

Answer. In all manner of disguises; and some were not disguised; but there was so much disguise that it made them look like a body of them.

Question. Did you know any of them?

Answer. I could not assert that there were only two of them that I thought I knew, and one of them by the robe he had on, and the other by his walk—that was while I was not blindfolded.

Question. Who were they?

Answer. One, I think, was a teacher at Limestone College—they call him Willie Johnson. I had been working at Limestone, and I never saw any other man have that kind of a robe; it came plumb down to his feet, and covered him all over. I supposed it to be him from that dress. The other was a young man named Stacy—Robert Stacy. I was treated in such a manner that I could not possibly have sworn to these men, for I could not get right at them.

Question. Did you make oath against them before any magistrate?

Answer. No, sir.

Question. Why not?

Answer. Because I was not called on. The next morning I could not get down, and our people came here to report to the chief men here. Our daughter and my wife knew more people than I did; and they called them, and they made oath. I was then almost passing away.

Question. What effect had this upon your feeling of security after that? Did you sleep in your house after that?

Answer. Yes, sir; I did on Sunday night and Monday night, until Tuesday morning. I could not get away. Tuesday I was called out before these officers, and I have not seen the house since I came on here; that was the day before the election. That night I came on as far as I could. I had a yoke of steers that I had got to work. I traveled with them. I came on here, and I have not been on the other side of the Pa-colet River since.

Question. Have you been back?

Answer. No, sir. The officers took me and my wife to Columbia to the governor, for him to see my situation. I have not been back since.

Question. Would you go back again?

Answer. No, sir; not if a man had four hundred acres of land, and I had only twelve of it, and he was to offer it to me, I would not go back there for it. After I came back from Columbia I heard threatenings from every quarter that if I went back it was certain death.

Question. Did you have a crop in when you left?

Answer. Yes, sir; fifteen or twenty acres in corn and cotton. I had a son about grown, who was absent when they came on me, and he slipped backward and forward to do some errands there and help save part of it. But part of it was lost. Some was destroyed, and some was taken out of the field afterward.

Question. What other colored man did you say they called on as they went away?

Answer. They took me from my house to his house—Daniel Lipsecomb's—and they whipped him too.

Question. What reason did they give for whipping him?

Answer. As well as I can recollect, they called him a d—d old radical.

Question. Is he here?

Answer. He stays in this town.

Question. Are those people that were there those who go by the name of Ku-Klux?

Answer. Yes, sir; that is what they told me that night. They asked me if I had heard tell of Ku-Klux. They said, "Here they are. These are the men called Ku-Klux."

Question. How did they proceed when taking you out?

Answer. They got as many as could get to me and walk.

Question. In what order did they go? Was it like cavalry?

Answer. They could not. It was only a little path, and they had to separate to walk in narrow places, to walk before and behind, and drag me.

Question. How were they armed?

Answer. With pistols. I heard the pistols fired, and I saw one or two. I heard ten fired right around my house before they came up and opened the door.

Question. What time was it?

Answer. About 11 o'clock, I think.

Question. Did you know Mr. Champion, who was whipped that night?

Answer. Yes, sir; I knew him well. I went to visit to him, and he was also teaching a Sunday school. We were sort of engaged in teaching the Sunday school close to my house, and he was going to change it into a two-day school; two days in the week. They were poor people, and he thought they would pay him for two days in the week, or pay him for one day, and he would teach two days, Saturday and Sunday. But that plan never went into operation. It was just to go on the next week.

Question. Did you say that had anything to do with his being whipped?

Answer. I think that was the cause, or one cause, of his being whipped. That was what they professed, that he was equalizing himself too much, and that was the reason they made him take that kissing negro equality.

By Mr. VAN TRUMP:

Question. Clem, you live in town now?

Answer. Yes, sir.

Question. Who advised you to stay here; who among the white folks?

Answer. It was the men that advised me first to come in here—Mr. Poiner and Mr. McGill Fleming—because they considered that we would be killed if we undertook to stay there after that, and they advised me to stay here.

Question. You had confidence in their advice, and have been here ever since?

Answer. Yes, sir; and have remained here ever since.

Question. They took you and your wife and made you go along with them?

Answer. Yes, sir; they led me.

Question. Those were all the colored persons who were along?

Answer. Yes, sir. They went by another man's house and whipped him, but did not take him along with us.

Question. There were not two colored men in the old field where you were whipped?

Answer. No, sir.

Question. When you came to the place where they made you whip Champion, and where this terrible scene was enacted, it was in a field?

Answer. Yes, sir; in an old field.

Question. So that you and your wife were the only two colored persons they took there?

Answer. They did come up to another man, but whipped him and left him.

Question. Where Champion was whipped there were only him and yourself and your wife, a colored woman?

Answer. Yes, sir.

Question. These men asked you whether you were making up a military company?

Answer. Yes, sir; they asked me if I had done it.

Question. Was there a military company there?

Answer. They had started to make up a company there, but had not accomplished it; but I was not at the place, and did not see it. I was coming on here to get some shoes.

Question. Were you whipped more than once that night?

Answer. No, sir.

Question. That was before you got to the place where you met Champion?

Answer. No, sir; they had me lying there when he came up.

Question. These were Ku-Klux that whipped you?

Answer. Yes, sir; they called themselves such.

Question. You were blindfolded?

Answer. Yes; except a little time, and then I looked around a little and saw them disguised, and I think I knew two of them.

Question. Were you blindfolded when on the ground?

Answer. Yes, sir.

Question. So that Champion might have whipped you and you have not seen him?

Answer. He might have done so.

Question. What is your best opinion as to whether Champion was the one that whipped you or not?

Answer. No, sir; he was not there; but they beat me before the men came there with him.

Question. That was the only time that you were whipped that night?

Answer. Yes, sir; but afterward they struck me five licks, and made me strike him.

Question. But you were whipped twice?

Answer. It was all in a very short time, and I considered it once. There was another thing I have not told you. They took a knife, and here is the place to show for itself where they cut a piece out of my left ear. You can see the difference in my ears. They took a piece out there.

Question. You are not mistaken in regard to their making you whip Champion?

Answer. No, sir; I can't be mistaken in that, for I know they whipped me harder because I could not strike him harder.

Question. You say some of these men were not disguised?

Answer. Some were not.

Question. Did you see them in the light?

Answer. No, sir. They went just as the moon rose.

Question. Did you see any not disguised?

Answer. Yes, sir; these two I have tried to express—Johnson and Stacy.

Question. They were not disguised?

Answer. No, sir; only the long gown; that was Johnson.

Question. Was Stacy disguised by anything on his face?

Answer. I only knew him by his walk and size. I had worked at his house.

Question. What made you think one was Johnson?

Answer. His dress and robe, which I suppose he had got at the North. I had seen him wear such a robe at the college when I worked there. I never saw any one else wear it.

Question. You say that after you got away from these men, and your attention was recalled to them, you recollected that it was these men, Stacy and Johnson, but that it did not so strike you at the time?

Answer. No, sir; I meant it did strike me at the time I was there, but not on the next day. That was Sunday night. It was Tuesday I didn't recollect.

Question. Did you know that night?

Answer. I did think of it right there, and I would have spoken of it, but I didn't dare speak.

Question. Did you think of it when on the ground?

Answer. Yes, sir.

Question. What made you say you didn't recollect?

Answer. I didn't recollect it on Tuesday.

Question. Why not?

Answer. Because my wounds had become such a misery to me that I didn't hardly know anything then.

Question. What is the reason you did not recollect on Monday, the next day after the whipping, that Johnson and Stacy were there?

Answer. It was on account of my suffering with my wounds.

Question. What makes you recollect that you thought about it at all that day?

Answer. I did not think about it that day, but the next day. I may have made a blunder in there. I do not know that it came to my mind until Wednesday; the same thing I had thought that night.

Question. What brought it to your mind?

Answer. In studying over my sufferings, and who was there, and my family telling who they saw.

Question. Did you say there was an examination into this affair?

Answer. Yes, sir; on Tuesday.

Question. You were asked whether you knew any of them?

Answer. Yes, sir.

Question. What did you say?

Answer. I said I could not be qualified as to who was there.

Question. Did you name Johnson and Stacy?

Answer. No, sir.

Question. How can you account for that?

Answer. I was suffering so; I was almost deranged, and did not know myself that night.

Question. Can a man know whether he is deranged or not?

Answer. In studying over the thing, I didn't eat anything, or think of anything but this case, and I never would have thought of Mr. Johnson only thinking of the robe. That was what made the impression on me.

Question. On the night while these men were whipping you you thought you knew Johnson and Stacy?

Answer. Yes, sir.

Question. You knew Johnson because he had a peculiar robe on?

Answer. Yes, sir.

Question. And the other by the manner in which he walked?

Answer. Yes, sir; that I thought of on the ground as I lay there.

Question. Did you think of that on Monday?

Answer. No, sir.

Question. Did you see anybody on Monday.

Answer. No, sir; only my family.

Question. You had daughters?

Answer. Yes; one is nearly grown.

Question. Did you not talk about it to your family on Monday?

Answer. Yes, sir, a little. She, I suppose, is what particularly brought the fact to my mind, for she said she knew some of them.

Question. How many of them did she know?

Answer. Four or five among them.

Question. Among that four or five did she name Johnson and Stacy?

Answer. No, sir; but she said it was strange, being about amongst people as much as I was, I didn't think of any one or know any one.

Question. This talk was on Monday?

Answer. Yes, sir.

Question. When she told you that she knew four or five, did you tell her you knew Stacy and Johnson?

Answer. I don't know; really I don't. I think that on that day or the morning of the day they came to take me away I did?

Question. Did you see any other white or colored person at that time?

Answer. No, sir.

Question. When was the complaint made?

Answer. It was made on Monday.

Question. Who made the complaint?

Answer. I understand Mr. John Joe Camp was the man.

Question. You were called for on Tuesday to come here?

Answer. On Tuesday morning. Me and my wife were not able to travel, and they sent a mule and buggy to haul us down here.

Question. You recollect now about it that on that day at Camp's you did not recollect that Johnson and Stacy were there?

Answer. I don't know whether I recollected it for certain or not, but I don't think I mentioned it; and the fact is I was expecting to live there, and during all that day I was expecting to remain there.

Question. How many days afterward did you go to the governor?

Answer. I left Mr. Camp's Tuesday and came here Wednesday, and on Friday took the cars for Columbia.

Question. Who advised you to go to Columbia?

Answer. Mr. Poiner and Mr. Fleming. They didn't give it as advice, but they sent some one to me to tell me to prepare to meet them.

Question. You went down to the governor and had a talk about it?

Answer. Yes, sir.

Question. This occurred on Sunday and you saw him on Friday?

Answer. Yes, sir.

Question. Did you tell him you knew Johnson and Stacy?

Answer. No, sir. Four or five men in Columbia asked me the names. I told them I knew the men, but I could not give their names to save my life.

Question. Did you know Stacy perfectly well?

Answer. I knew him; I had worked with him.

Question. Did you say a while ago you had worked a great deal for Stacy's father?

Answer. Not a great deal; but I had worked for him not long before that.

Question. You knew young Stacy perfectly well?

Answer. I thought I knew him.

Question. I do not mean that night, but generally?

Answer. O, yes; I never had any personal acquaintance except there at his father's house.

Question. You knew Johnson well enough?

Answer. Only when I was working at Limestone Springs.

Question. Why could you not give the governor those two names?

Answer. I can't tell you.

Question. You do recollect that you told the governor that you knew two men that night?

Answer. Yes, sir, but not the names; I could not do that.

By Mr. STEVENSON:

Question. You say there was an investigation at Camp's?

Answer. Yes, sir; four men from down here met there.

Question. Who was tried?

Answer. One man by the name of Camp, who was brought up there, and one named Petty, and one named Perry McArthur, and one or two more. I think there were four of them.

Question. At what time of day were they brought there?

Answer. Some sooner and some later. They would bring one, and go off and hunt another.

Question. What time of day was McArthur brought there?

Answer. I suppose he was carried there over night. He was there before I got there.

Question. What time did you get there?

Answer. I don't know at what hour it was; it was just after early breakfast.

Question. Then the investigation went on?

Answer. Yes, sir; they had him, I suppose, there; and then as they brought them in I didn't know what they did, because I was off lying down; but the officers brought them in.

Question. How long did they stay there?

Answer. Until evening; away after dinner time.

Question. Where were you?

Answer. I was lying down in Mr. Camp's kitchen the biggest portion of the time.

Question. Did you stay there that night?

Answer. No, sir; I was making for this place. I traveled about thirteen miles that night toward this place.

Question. Were you much hurt?

Answer. I was severely hurt. I don't ever expect in this life to get over it. I was not able for months to do anything.

Question. How many lashes did they whip you?

Answer. I could not tell anything about it if I was to die.

Question. Have you been whipped when a slave?

Answer. No, sir; I didn't have a scar on my back, except two that a black man put on me when a little boy.

Question. Did you ever know a slave to be whipped as severely as you were?

Answer. No, sir; all the whippings I ever had in my life, since I was cradled to that night, would not come up to that whipping.

Question. What is the feeling among the colored people in this county as to their security?

Answer. All in general now are very uneasy; they are scared; they are afraid to even own what they are.

Question. In what respect?

Answer. To own what their principles are.

Question. Their political principles?

Answer. Yes, sir.

Question. Is that generally the case?

Answer. Yes, sir; mostly the case wherever I can hear from.

Question. You are here in town and see the people?

Answer. Yes, sir; I see people from nearly every part. Now and then you will find one who says, "I will stick to my principles and I will die with them." But mostly they do not want to talk.

Question. Is that complaint confined to colored men?

Answer. I suppose some white men are afraid; but I have not heard them say so.

Question. How is it about the women?

Answer. They are suffering with uneasiness in the country. There is not so much uneasiness here in town for the last two months, since aid has come to the place.

Question. What aid?

Answer. The soldiers. Aid has come to the town; but I don't know whether any change has come to the country or not. My family and myself have not staid together since February. They were alarmed and afraid to stay where I am. They are staying out on the edge of town. They had a second alarm. There came a man to my house, so my wife told me, and said he was a Ku-Klux, and coming there on purpose to persecute these negroes that moved in there.

Question. That was after you came up here?

Answer. That was since Christmas. I had rented a place and set in for a year's business. That was a Saturday; and the next Saturday they came and blew a whistle, and stopped there and talked, and it scared my folks almost to death.

Question. Were they Ku-Klux?

Answer. I don't think they were; but this man saying that he was coming there on them, and that he was a Ku-Klux, scared them.

Question. Did you see that party?

Answer. I heard them; I did not see them. They passed on.

Question. You do not know whether they were disguised or not?

Answer. No, sir; but that scared my family. I had a place where I could have a tater patch and things for my children, and they have been scared for their lives, and have come here to this side and over to the center of the town, where they can sleep.

Question. The place you rented is in the edge of this town, and they will not sleep there?

Answer. Yes, sir, for fear of being destroyed.

Question. You say they notched your ear, as I see it. How was that done?

Answer. It was done with a knife.

Question. Was it done on purpose?

Answer. I know it was done for nothing else but on purpose.

Question. Why do you suppose so?

Answer. Why, a man could not take a knife and cut a man's ear in that way unless he did it on purpose.

Question. Might he not have been hacking away generally?

Answer. No, sir; he took two or three licks to do it.

Question. What do you suppose he wanted to cut your ear for?

Answer. Just for punishment; I don't suppose it was for anything else.

Question. Did he say anything while doing it?

Answer. He just cursed.

Question. Did he say anything about his purpose in doing it?

Answer. He just cursed.

SPARTANBURGH, SOUTH CAROLINA, July 6, 1871.

CHARLOTTE FOWLER (colored) sworn and examined.

By the CHAIRMAN:

Question. Where do you live?

Answer. On Mr. Moore's premises.

Question. Do you know in what township?

Answer. No, sir; my son does.

Question. Is it in this county?

Answer. No, sir; I did live in Spartanburgh County with my husband, before the old man was killed; but now I live with my son.

Question. How long ago is it since your husband was killed?

Answer. It was the 1st of May.

Question. What was his name?

Answer. Wallace Fowler.

Question. Tell how he was killed.

Answer. The night he was killed—I was taken sick on Wednesday morning, and I laid on my bed Wednesday and Thursday. I didn't eat a mouthful; I couldn't do it, I was so sick; so he went out working on his farm. We still had a little grandchild living with me—my daughter's child. He had two little children living with him on the farm, but still that little child staid with me. He kept coming backward and forward to the house to see how I got and what he could do for me. I never ate nothing until Thursday night. When he came home he cooked something for me to eat, and said: "Old woman, if you don't eat something you will die." Says I: "I can't eat." Says he, "Then I will eat, and feed the little baby." That is the grandchild he meant. I says: "You take that little child and sleep in the bed; I think I have got the fever, and I don't want you to get it." He said, "No, I don't want to get the fever, for I have got too much to do." He got up and pulled off his clothes, and got in bed. He came and called to the grandchild, Tody—she is Sophia—and he says: "Tody, when you are ready to come to bed, come, and grandmother will open your frock, and you can go to bed." So he laid there for about a half an hour, and then I heard the dogs. I was only by myself now, for the children was all abed. Then I got up and went into the room to my bed. I reckon I did not lay in bed a half an hour before I heard somebody by the door; it was not one person, but two—ram! ram! ram! at the door. Immediately I was going to call him to open the door; but he heard it as quick as lightning, and he said to them: "Gentlemen, do not break the door down; I will open the door;" and just as he said that they said: "God damn you, I have got you now." I was awake, and I started and got out of the bed, and fell down on the floor. I was very much scared. The little child followed its grandfather to the door—you know in the night it is hard to direct a child. When he said, "God damn you, I have got you now," and he said, "Don't you run," and just then I heard the report of a pistol, and they shot him down; and this little child ran back to me before I could

get out, and says, "Oh, grandma, they have killed my poor grandpappy." He was such an old gentleman that I thought they just shot over him to scare him; but sure enough, as quick as I got to the door, I raised my right hand and said, "Gentlemen, you have killed a poor, innocent man." My poor old man! Says he, "Shut up." I never saw but two of them, for, by that time, the others had vanished.

Question. How did you know there were any others there?

Answer. The little boy that was there when they shot his grandpappy ran into the house; he was there, and when they started I heard the horses' feet going from the gate. I was then a hallooing and screaming. After they shot the old man, they came back in the house—"Chup! Chup! Chup! make up a light." I said, "I am not able to make up a light; I have been sick two days." I called to the little girl, "Is there any light there?" She says, "No." But the mantel was there, where I could reach it, where they put the splinters, and I said, "Light that splinter;" and she lit the splinter. He said, "Hand it here;" and she handed it to him; and then he says, "March before me, march before me." That was done in the middle of my room. He says, "Hand me up your arms"—that is, the guns. Says I, "There isn't any here, sir." Says he, "Hand me up that pistol." I says, "There is none here; the old man had none in slavery, and had none in all his freedom, and everybody on the settlement knows it." When he told me about the light he put that pistol up to my face—so—and says, "If you don't come here I will get you light out of this." He did that when I was a poor woman by myself.

Question. What else?

Answer. I didn't know that anybody had anything against the old man; everybody liked him but one man, and that was Mr. Thompson. Somewhere along summer before last he had planted some watermelons in his patch; and he kept lesing his watermelons, and one day he said he would go and lay, and see who took them; and sure enough he caught two little white boys; one was Mr. Thompson's boy and the other was Mr. Millwood's boy; both were white boys; they had cut up a whole lot of the melons. Jerry Lee lives on the same place with us; that is Mrs. Jones's place; and he comes and says to the old man, "Wally, do you know who took your watermelons?" Wally says, "It is more than I dare to do, to lay a thing on a man without I saw with my own eyes." Jerry Lee says, "It is nobody eating your watermelons but Mr. Henley." Then Wally says, "No, I can't put a thing on a man without I saw him do it, and I have got the one that was eating my melons." "Who is it, Wally?" said he. "Well," says Wally, "I have promised not to tell it." Says he, "I have melons too, and if you do not tell who took yours, they will come round and eat all our watermelons." Says Wally, "I cannot tell you who the other boy is, but one boy is Mr. Thompson's son."

Question. Is that the reason you thought that Thompson did not like him?

Answer. Mr. Thompson is the only one in the whole settlement that has had anything against him. You may search the whole settlement over. Jerry Lee went right on to Mr. Thompson's—that is, to old Mr. John Thompson's house. It was only half an hour; and Jerry Lee didn't tell it as he ought to. You see it was Mr. John Thompson's brother. And Mr. Thompson came immediately as soon as Mr. Lee told his father about the watermelons, and he says, "Halloo." I went to the window. He says, "Where is Wally?" Says I, "He went over to Mr. Jones's; over to the big house." He started on, and met the old man in the road; and he said, "Come along." I listened to them just as they got up to the gate.

Question. What were they talking about?

Answer. They were not talking a word until they got to Mr. Lee; when Mr. Thompson carried the old man to Mr. Lee. Then Mr. Thompson fetched on so about the watermelons. Says the old man, "Who told you that I said that you took my melons? Did not I know a boy from a man? Tell me who said I took your watermelons." Says he, "There is the man." Says Wally to Mr. Lee, "Did I tell you so?" Says Mr. Lee, "I understood you so." And then says Mr. Thompson, "Yes, and God damn you, if you had said I had stolen your watermelons, you would not make tracks out of this yard." That was out of Jerry Lee's yard. I ran to the fence and said "Wally, come out of that yard; and if you don't I will call Mr. Jones. If you had threatened Mr. Thompson, as Mr. Thompson has threatened your life, he would have you in Spartanburgh jail before sundown."

Question. How long was that before the old man was killed?

Answer. The watermelons were took this summer a year ago, and nobody but him and Mr. Thompson had anything against him.

Question. Do you mean by this that Thompson had anything to do with the killing of the old man?

Answer. I am going to tell you my opinion about it. I didn't see Mr. Thompson's face, for he had a mask on; but he was built so. He lives close to us, and I saw him every day and Sunday.

Question. Did these men have masks on?

Answer. Only the one that shot him.

Question. What kind of a mask ?

Answer. It was all around the eyes. It was black; and the other part was white and red; and he had horns on his head. He came in the house after he killed the old man and told me about the light, and I made the little girl make a light: he took the light from her and looked over the old man. Another man came out of the gate, and looked down on the old man, and dropped a chip of fire on him, and burnt through his shirt—burnt his breast. They had shot him in the head, and every time he breathed his brains would come out.

Question. Do you mean to say that you believe his being killed was caused by the quarrel about the watermelons?

Answer. I can tell you my belief. There is a parcel of men who were on the plantation working Mr. Jones's land, and my old man was one of them that tended Mr. Jones's land. Mr. Jones had had a whole parcel of poor white folks on the land, and he turned them off, and put all these blacks on the premises that they had from Mr. Jones, and I don't know what it could be, but for that and the watermelons. That was the cause why my old man is dead, and I am left alone. (Weeping.)

Question. Is that all you can tell about it?

Answer. Yes, sir. That is all that I can tell. I don't want to tell anything more than I know; I don't want to tell a lie on anybody.

By Mr. STEVENSON:

Question. Was the old man dead when the fire was thrown on him?

Answer. He did not die until Friday between 1 and 2 o'clock; but he couldn't speak a word. He was just bleeding, and his brains and blood came out over his eyes.

Question. Where was he when he was shot?

Answer. Right by the door. They shot him and never asked a question.

Question. Did you come near him before they left?

Answer. I never went to the door. I hallooed and screamed where I was standing for some people.

Question. Did you see him by the light where you stood?

Answer. It was dim moonshine. He lay out there as if he was lying on the bed; his head as white as cotton.

Question. Was he farming or doing anything else?

Answer. He was the coachman of old Mrs. Shoemaker. His young mistress came up to see about it, and cried about him.

Question. What other business did he do?

Answer. Nothing but farming. Every time Mr. Jones wanted anything from this town, he sent him and another old gentleman that lived there. They killed him, and they whipped another nearly to death; and they shot another in the head, but the ball was so much spent that it did not kill him, and the doctor got the ball out.

Question. Was that the same night?

Answer. Yes, sir. One of them was shot, and the doctor got the ball out; and the other got away. The watermelons and that farming work caused this. That gentleman intended to clean them out off of the plantation. I just tell you the whole truth; I do not want to put a finger on anybody; but they have ruined me. But his name is published to the whole United States. If you ever get a newspaper and read of Wallace Fowler, that is my husband.

Question. That all happened in Spartanburgh County. Do you not know what township it was?

Answer. I don't know what they call Spartanburgh Township; my son James can tell you.

By the CHAIRMAN:

Question. Was he there?

Answer. No, sir.

By Mr. STEVENSON:

Question. How old was your husband?

Answer. I do not know exactly; but he was an old man, with a head as white as that sheet of paper that that gentleman is writing on. But he was a smart man for his age.

Question. Was he seventy?

Answer. I expect he was over seventy.

By Mr. VAN TRUMP:

Question. You say you are now living on Mr. Moore's farm?

Answer. With my son, James Fowler.

Question. Where is that?

Answer. On Tiger Creek.

Question. Is it near where your husband was killed?

Answer. He was killed three miles from Glen Springs.

Question. In the other direction?

Answer. Yes, sir; on Mr. Jones's premises.

Question. How long did you and Wallace live there?

Answer. I could not tell; it was so many years. You see he had belonged to the Olin; and then Joe Olin sold his land to Mr. Jones. I cannot tell you how long it has been.

Question. Did you live there before the war?

Answer. O, yes, sir; many and many a year.

Question. And you never knew what township you lived in?

Answer. No, sir. I never knew the name after they altered the townships and districts and counties. I don't know.

Question. Do you know what county it was?

Answer. I know the district.

Question. What was the district?

Answer. Spartanburgh.

Question. Was your husband as old as seventy-five years?

Answer. Yes, sir, I reckon he was.

Question. How much older than that?

Answer. I cannot tell; he was older than I am. You see we poor black folks had no learning. Old Mrs. Olin had my age and she is dead and gone.

Question. Have you any idea of your age?

Answer. No, sir.

Question. Are you thirty?

Answer. I reckon I am more than that; I have children, grown children.

Question. Have you grandchildren?

Answer. Yes, sir; great-grandchildren.

Question. And you do not know whether you are thirty years of age?

Answer. No, sir.

Question. How old is your oldest great-grandchild?

Answer. About six or eight years old. That is the oldest one of all; it is my daughter's daughter's child.

Question. You say you were sick that night?

Answer. Yes, sir.

Question. Still you were able to sit up at the door?

Answer. Yes, sir, after the old man got me supper, because there was nobody to cook for me but him.

Question. Your husband was working and living in town?

Answer. Yes, sir; he was living just as spry as he could be.

Question. What was he doing—working in town?

Answer. No, sir, not in town; he was working at home.

Question. What do you mean by going backward and forward to see him?

Answer. He came out of the field to see me.

Question. Was he at home every night with you?

Answer. Yes, sir; and he came in during the day-time.

Question. You sat up about half an hour after Wallace went to bed?

Answer. Yes, sir; I then heard the dogs bark, and I went and peeped out of the door to the back of the plantation, and the dogs made a dreadful noise. That is the time that they were after the other blacks. They went around there at that time of night.

Question. How do you know that?

Answer. Because I know the black dog that Mr. Jones had, if anybody is about the land, would be barking.

Question. Did you hear any shooting? Could you not hear a man as far as a dog?

Answer. But the boys, when I was talking about the dog, said that was the very time when they were after them.

Question. That was afterward?

Answer. Yes, sir; the old man was the last one they came after.

Question. You say that when you were sitting up and heard the dogs barking, was the time when they were after the other black people?

Answer. Yes, sir.

Question. Did you think so then?

Answer. I thought so after they killed the old man. That was the time they were after the other ones.

Question. Did you hear a gun or pistol?

Answer. The boys said they shot at them, but I never heard the gun, as I told the boys the next morning.

Question. Who did this man who shot Wallace tell to march before him?

Answer. I was the one; he told me to march before him.

Question. Where did he mean to march to?

Answer. He had shot him at the door, and he came in and asked me about guns and pistols, to see if I had any in my house. I told him we did not have any such a thing; that Wally did not have as much powder as he could pick up on a pin's point.

Question. What is old Mr. Thomson's name?

Answer. John Thomson—the same as his son.

Question. Where does he live?

Answer. Close by me.

Question. Is he a white man or a colored man?

Answer. He is white—a young man.

Question. I understood you to state that Thomson complained about his water-melons being stolen?

Answer. My husband had lost water-melons.

Question. Did he complain?

Answer. No, sir; but he laid out to see who was eating his melons, and he came upon these two boys. There were only two.

Question. How many men did you see?

Answer. I saw only one man with a mask.

Question. Which one shot Wallace?

Answer. The man with the mask.

Question. From the time they first knocked at the door until they shot was a very short time?

Answer. Yes, sir; but a very few minutes.

Question. Nothing was said but "God damn you."

Answer. Nothing; but they grabbed him, and said, "God damn you; I have got you now;" and said, "Don't you run;" and took him out, and then I heard the crack.

Question. Did you know the man who had the mask?

Answer. No, sir; one came in the gate; he was a long, slim man, and looked down on the old man lying outside of the door. I saw him and the man with the mask.

Question. Did you know the man with the mask?

Answer. I just know the build of the man, and he was just such a built man as Thomson, but I never saw his face.

Question. Was he about the size of Thomson?

Answer. Yes, sir.

Question. Is Thomson tall or short?

Answer. He is a short man, and this man was a little short man, but I did not see his face.

Question. Are you not mistaken about fire having been thrown upon the breast of Wallace?

Answer. I have got the shirt.

Question. Are you sure you cannot be mistaken?

Answer. I am not mistaken.

Question. Was there not some examination of Wallace by the neighbors afterward?

Answer. It was no examination; but Dr. Jones came there and saw the blister and the burn where they threw the fire on him.

Question. Did any other white persons see him before he was buried?

Answer. About Saturday two weeks they went and took him up.

Question. Are you sure it was two weeks?

Answer. I think it was two weeks, but I was not there.

Question. Then you do not know what the persons who took him up know?

Answer. No, sir; but the burned place was there.

Question. You do not know what the people who took up Wallace's body know?

Answer. No, sir. I had him dressed and all.

Question. Who was this Mr. Jones?

Answer. He came from the North.

Question. How long ago?

Answer. He had been in this country a good many years.

Question. Before the war?

Answer. Yes, sir; many years.

Question. He had had a good many white persons on his farm, and had turned them all off?

Answer. Yes, sir.

Question. When.

Answer. New Year's day last.

Question. And Wallace was killed this last May afterward?

Answer. Yes, sir.

Question. How many white tenants had Mr. Jones on his farm when he turned them off?

Answer. He had Mr. Millwood, and Mr. Lee, and Mr. Lee again, and Mr. Henley—four.

Question. Where are all those white tenants?

Answer. They left the plantation and scattered right down below us, not far from there.

Question. It is your opinion, as given in answer to the question of the chairman,

What was the cause of these men killing Wallace?" that it was either the difficulty growing out of the water-melons, or the fact that these white men were turned off and black men put on that farm?

Answer. Yes, sir.

Question. It was one or the other?

Answer. Yes, sir.

Question. Which is the most probable

Answer. I will tell you which I think stronger than the other. These men and Mr. Thomson are all kin.

Question. Were all four of these white men his kin?

Answer. Yes, sir; to Mr. Thomson. Mrs. Thomson's mother is Mrs. Millwood's aunt, and they are all kin.

Question. Is Mr. Thomson a respectable man in that county?

Answer. They all said down there that he was a mighty mischievous man.

Question. Does he tend Dr. Jones's plantation?

Answer. No, sir; Mr. Foster's plantation.

Question. Where is he now?

Answer. I don't know. He ran off before I left for some conduct he had done; but his children and wife are there; that is, the old man has run off.

Question. That is since the death of Wallace?

Answer. The old man was gone before Wallace was killed.

Question. Young John Thomson is there yet?

Answer. Yes, sir. Young John Thomson and Frank Thomson and Aaron Thomson and Eliphaz Thomson, all his sons, are there with the old lady.

Question. Was this man who was masked a Thomson?

Answer. I do not know who he was. I tell you the Lord's truth from heaven; I do not know who he was. I am not going to tell more than I know. I do not want to bring trouble on anybody in this world, because I do not want to have anybody hurt for me. My old man is gone, but I do not want to take anything from anybody, or do anything to anybody.

By Mr. STEVENSON:

Question. How long was it before the old man was buried?

Answer. He died Friday, between 1 and 2 o'clock, and they buried him Saturday, between 1 and 2 o'clock.

Question. Did the coroner's jury come to look at him?

Answer. No, sir. Mr. Jones wrote for them, too. It was a week after they buried him.

Question. What neighbors came to see him?

Answer. Not one.

Question. What black neighbors?

Answer. Only old man Vander Lee's son came with Mr. Jones. Mr. Jones was looking at him, and he came in.

Question. Then Mr. Jones was really the only white man who came to see him?

Answer. Yes, sir.

By Mr. VAN TRUMP:

Question. Did Lee come in and see him?

Answer. He came by the gate, and Mr. Jones told him the accident, and he jumped off and came in.

By Mr. STEVENSON:

Question. What are these men called that go about masked in that way?

Answer. I don't know; they call them Ku-Klux.

Question. How long have they been going about in that neighborhood?

Answer. I don't know how long; they have been going a long time, but they never pestered the plantation until that night. I have heard of Ku-Klux, but they never pestered Mr. Jones before.

Question. Did your old man belong to any party?

Answer. Yes, sir.

Question. What party?

Answer. The radicals.

Question. How long had he belonged to them?

Answer. Ever since they started the voting.

Question. Was he a pretty strong radical?

Answer. Yes, sir; a pretty strong radical.

Question. Did he work for that party?

Answer. Yes, sir.

Question. What did he do?

Answer. He held up for it, and said he never would turn against the United States for anybody, as the democrats wanted him to.

Question. Did he talk to the other colored people about it?

Answer. No, sir; he never said nothing much. He was a man that never said much but just what he was going to do. He never traveled anywhere to visit people only when they had a meeting; then he would go there to the radical meetings, but would come back home again.

Question. Did he make speeches at those meetings?

Answer. No, sir.

Question. Did they make him president of their meetings?

Answer. I don't know about that.

Question. Did you ever go with him?

Answer. No, sir.

Question. Did they ever make him president or vice-president, or put him upon the platform?

Answer. No, sir. Several, I heard, went there and did, but he never undertook such a thing. He would go to hear what the best of them had to say, but he never did anything.

By the CHAIRMAN:

Question. Are the colored people afraid of these people that go masked?

Answer. Yes, sir; they are as 'fraid as death of them. There is now a whole procession of people that have left their houses and are lying out. You see the old man was so old, and he did no harm to anybody; he didn't believe anybody would trouble him.

By Mr. STEVENSON:

Question. Did he vote at the last election?

Answer. Yes, sir.

SPARTANBURGH, SOUTH CAROLINA, July 7, 1871.

GEORGE W. GARNER sworn and examined.

By the CHAIRMAN:

Question. Do you live in this county?

Answer. Yes, sir.

Question. In what part of it?

Answer. I live east of this place—about seven miles from here.

Question. In what township?

Answer. Pacolet Township.

Question. What business do you follow?

Answer. Farming.

Question. How long have you lived in this county?

Answer. I have been living in this county since January last a year ago.

Question. Where did you come from?

Answer. From Union County, in this State.

Question. Are you a native of this State?

Answer. Yes, sir. I was born and raised in Union County.

Question. Have you suffered any violence at the hands of any person in this county?

Answer. From persons in this county or some others, I have.

Question. Go on and tell in what manner it was inflicted upon you, and when it was.

Answer. I had two attacks; the first was on the 4th of March last, on Saturday night; the second was on that night two weeks, which would make it the 18th of March.

Question. Go on and tell what occurred at each time.

Answer. On the 4th of March there came a body of men to my house. They were all around my house before I knew they were there, and were hallooing and beating and thumping the house. I was nearly asleep, and as quick as I awoke I jumped up. They told me to open the door. I told them I would do so. They told me to strike a light before I opened the door. I lighted a lamp and set it on a desk by the side of the house. I opened the door. These men were standing in front of the door with pistols drawn. They were knocking at the other door also. I said, "Gentlemen, somebody is knocking at the other door; let me open it." They let me turn around and open it. There were five men there. While I was opening that door more men came through the other door and into the room where I was. To the best of my mind, there were twelve men in all in my house. My wife thinks there were more, but I did not see them. They asked me to take a walk. I told them I would. I asked them to let me put on my clothes and shoes. They told me to put on my shoes, but not my clothes. They took me out and tied my hands together and hit me a few strokes and sent me back to the house.

Question. What was said?

Answer. They told me I must be a good citizen to the county. I asked them if I had not been. They said they reckoned as good as any. I told them if I lacked anything, it was from not knowing what a citizen of the county should be. I thought I had done my duty. They said I should quit my damned radical way of doing, and should no longer vote a republican ticket, and if I did they would come back and kill me.

Question. Was any election coming on after the 4th of March?

Answer. There has not been any yet.

Question. Had you taken any part in politics?

Answer. No, sir; I never have taken any part in politics in my life, but have always made free to vote for whatever party I wanted to. But I have never tried to influence others to do as I did.

Question. Had you voted the radical ticket?

Answer. Yes, sir; I have generally voted the radical ticket.

Question. Did you know any of these twelve men in the house?

Answer. Yes, sir.

Question. Give their names.

Answer. Richard Millwood was one.

Question. Any others?

Answer. This man Gray Hampton that Mr. Bates killed was in my house.

Question. Who else?

Answer. There were a couple more. I cannot tell you as to their first names, but I can tell you their last names. I know the boys when I see them, but not their given names. There was a couple of Vandivers, that lived near Mr. Bates's somewhere; I don't know their whereabouts. I frequently saw them in that neighborhood.

Question. Are those all that you recognized?

Answer. No, sir; I do not think they are. I think I recognized some more of them.

Question. Were they in disguise?

Answer. These Vandiver boys were only disguised by having their coats turned wrong-side outward, and some smut, as it looked to be, from a chimney, rubbed on their hands and faces. Their faces were blackened, but not very black, and their coats turned wrong-side out.

Question. You are now speaking of those you recognized?

Answer. Yes, sir.

Question. Were they disguised?

Answer. They were disguised in that way, by smut on the faces and coats turned wrong-side out.

Question. What others did you recognize?

Answer. Another fellow named Jasper Haynes and a Mr. John Allen. Here is a piece of paper that this Mr. Allen had around his eye, and that he dropped in my house. I had some others. My little daughter got that one and she laid it away. He had this around his eyes to confine them, but they were so drunk that they dropped them, and they did not happen to miss them. This piece I have here was around Mr. Allen's eye and banded with a little cloth. [The witness produces a piece of paper, apparently, cut from a letter, annular in form, the circle cut from the middle being an inch and a half in diameter.] That was together in one piece and made a complete circle then. Now it is broken on one side. I had three others of them in my pocket, and last Saturday two weeks ago my pocket-book was stolen from me, and the others went off with my pocket-book.

Question. Does this complete the list of those you recognized?

Answer. There are others that I very much believe were there, but I do not know it certain. I am satisfied that the others were there, and believe they were there, but I will not say I can identify them to know them, for I might be mistaken.

Question. Was this all that occurred on the 4th of March?

Answer. Yes, sir.

Question. Go on to the next occurrence.

Answer. They came back there at the second attack, and I heard them at my gate, which was in front of my house. I heard them knocking down my front paling. I jumped up, and said I, "Gentlemen, don't tear down my front." They said, "Get up." I said, "Very good, I will come." I stepped out upon the door-step and said, "Gentlemen, will you let me get my shoes? I can't walk on the ground barefooted." They said, "Yes, get your shoes, but be in a damned hurry, make haste." I hurried, but by the time I got my shoes they were coming in at the back door, where they got in before. I suppose it was to head me off if I should undertake to run. They came in at the back door and asked me if I wanted to run. I said, "No, that is not my principle to run; you can overpower me, but you can't scare me. You can whip me, because you have the power to do it, and that is all the way you can do it." They called for a rope. I said, "My rope is at the gear-house; you can get it." They said, "Go and show where they are." One man caught me by the arm and held me. They got one of my ropes and tied my hands crosswise. They took me about fifty steps from my house, and

untied me and said, "Damn you, we will give you a chance to run; if you run we will shoot." "I am not going to run," I said. "I had just as soon be shot as this that you are doing. If I am shot by an unknown man I would as soon be shot now." He said, "Run if you want to, but if you run I will shoot you." I said, "Shoot if you want to; I am not going to run, for if I am shot by men unknown to me, they would never be hanged according to the laws of my country." One of them called, "Captain"—I do not know which one it was, for I could not distinguish him—one of them called, "Captain, what shall we do?" and one replied—I think it was the captain—"Get some shillalahs," and they got them. They soon set in, three of them—I think it was three—at the same time, whipping me, and they whipped just as long as they thought I could stand and bear it. They cut my back all to pieces, and told me if I did not announce myself as a true democrat, and promise it faithfully, that they would come back and kill me right there. They made me swear to do it, and to support the Ku-Klux party, or they would kill me. I promised them that I would do it. I did this to get rid of them, and to save my life, having a family of little children. I said, "Gentlemen, anything that you want me to do I will do. I have a family of helpless children, and my wife has not been out of bed since this time last year. That is my condition. I will do anything you want me to do, to save my life for my children's sake."

Question. Was that the end?

Answer. Yes, sir. That is about the end of it.

Question. Were you released then?

Answer. Yes, sir; they told me to go to the house—to run. I said, "Gentlemen, I can't run." They said, "Run, or we will shoot you." I said, "I can't run." One said, "Let him go."

Question. How many men were there at the time?

Answer. I don't know; but I don't think they were exceeding fifteen, in the whole number, the last time.

Question. How were they dressed?

Answer. They had cloths banded around their faces. I think the first band was around the forehead, and there was one around the chin and one under the chin, tied on the top of the head. I was deliberate enough to take my finger and touch the horn of one who had a horn. It was of cotton sewed together. He was walking up in front of me and pushed it in my face, and said, "Did you ever see the Ku-Klux?" I touched his horn; I had heard that they could hook. They had some other disguises; some had no horns at all. It looked just like a slip of cloth pulled down over the head with little holes cut in it. Some of them had what I took to be shirting cloth dyed black, with a hole in it, pulled down over the head and corded, and it swung down to the knees about.

Question. Did you recognize any that night?

Answer. I did not recognize any the last night. They blindfolded me as soon as I came out into the yard; they tied it over my eyes. I did not recognize any of them that night, except it was Allen and Millwood. I was perfectly deliberate and did not feel scared, and tried to look for all the information I could get.

Question. You say you recognized some the first night but not the second night, except Allen and Millwood. Did you recognize them?

Answer. Yes, sir; I am satisfied they were there. The last night the men did not come in at my front; when they hallooed for me they were tearing down my paling.

Question. Who is Millwood?

Answer. Richard Millwood, of Pacolet Township.

Question. Is he a farmer?

Answer. Yes, sir; he is like all the rest of the farmers here; he is a poor farmer, like myself.

Question. Who is Allen?

Answer. I can't tell what he is; one of those men that dodges about, sometimes farming and sometimes running about and picking up a little work, and then spreeing about; maybe he hauls a load of lime now and then; he often hauls it to this place. That is about his reputation.

Question. How many did you name?

Answer. Allen and Millwood, and those two Vandivers.

Question. What are they?

Answer. They are, I suppose, poor farmers. They tend rented land; they have no farms of their own, but rented land.

Question. Did you name any others?

Answer. Yes, sir; Mr. Haynes; he is a miller that lives in Pacolet Township, at what is called The Shoals, and keeps Lowry McArthur's mill.

Question. Did you previously have any personal or political difficulty with those men?

Answer. No one; I had never had a political hard word with a man in my life.

Question. Did they belong to the same party with you or not?

Answer. They belong to the opposite party, every man of them.

Question. Have you given all that was said, to the best of your recollection, by you and by them?

Answer. Yes, sir; I think pretty much all that is essential.

Question. Do you own the land you live on?

Answer. Yes, sir.

Question. What has been the effect of this proceeding there? Do your people feel secure in person and property? And when I say the people, I mean your family and neighbors?

Answer. No, sir; they do not feel secure, or that their property is worth anything to them. I do not lie down at night expecting that what I have is worth five cents to me.

Question. What has led to this thing?

Answer. I think it is politics have led to it; men taking an active part in politics that have no right to—wanting to carry their own points and to put different men in office.

Question. What has led to this state of insecurity? Explain what you mean by parties who have no right to take part in politics?

Answer. I do not think they had any right, for I do not think any man has a right to take such part in politics as to whip you, and I do not think they have any right to whip me.

Question. You object to that mode of taking part in it?

Answer. I do not think they have any right to do that.

Question. What has led to this state of insecurity?

Answer. There have been some depredations done from one time to another, where property has been burned up or taken off from people's houses, and people have been killed. They do not know there whether they are going to be burned up to-night or be killed. These men threatened to burn my house the first night they were there. They said if I did not open my door they would set fire to my house.

Question. Have there been any other cases of people being whipped or punished near you?

Answer. There have been some colored people whipped and punished near me, but no other white man.

Question. Have you continued to occupy your own house?

Answer. No, sir; not all the time.

Question. What have you done?

Answer. I have staid some with my neighbors, both in this up country and some in Union District. I have two hired hands cultivating my farm. I have one here in town driving my wagon to-day.

Question. Do you feel secure, or are you afraid to cultivate your farm yourself?

Answer. Yes, sir; I have been afraid to do so.

Question. Is there any motive that you can assign for this visit to you? If so, give it.

Answer. They told me this: that if I did not publish myself as a true democrat and support this Ku-Klux party and defend them in every manner, they would make another visit and kill me. I did not announce myself in the papers in that way. They said I was accused of belonging to a Union League. I said, "Gentlemen, that is not so; I do not belong to any club, league or party. I am not a party man." I came up here on the sales day, the Monday of the week following, and put a few words in the paper certifying that I belonged to no Union League or club; that I had been unfairly accused by somebody unknown to me. That was the amount of what I put in the paper.

Question. What induced you to do it?

Answer. I wanted to say something in the paper; I thought it might be beneficial to me, for they might come back. I heard some gentlemen speaking, saying that I had denounced myself in the paper and I would not be visited any more. But I did not put in all that they told me to put in.

Question. Is this all that you can tell of your own knowledge?

Answer. Yes, sir; I think that is all that is essential.

By Mr. STEVENSON: •

Question. Were you born in South Carolina?

Answer. Yes, sir; in Union District, about twenty-five miles from here. I was born and raised there, and have not been anywhere else except during the war.

Question. Did you take any part in the war?

Answer. Yes, sir; three years.

Question. In the rebel army?

Answer. Yes, sir; I was in the rebel army.

Question. Have you held any office?

Answer. No, sir.

Question. Have you run for any office?

Answer. No, sir; I have often, when in Union District and in this district, been deputized to do business for the sheriff, and did ride the country for the sheriff of Union and for the sheriff of this place, and for the officers.

Question. The sheriff of this county is a democrat?

Answer. Yes, sir.

Question. Have you made any political speeches?

Answer. No, sir; and never expect to.

Question. Have you taken any part in elections, distributing tickets, &c.

Answer. No, sir.

Question. The only objection to you so far as you know was simply that you belonged to the radical party?

Answer. Yes, sir; and I had supported that party; that was the only objection I could get from them. I asked them what I had done, and they said they were not going to have any radicalism in our country.

Question. How many were there the last time they visited you?

Answer. I don't think there were over fifteen. There might have been others that did not come to the house and that I did not see.

Question. Did they come on foot or on horseback?

Answer. They came close to the house and hitched their horses.

By Mr. VAN TRUMP:

Question. How far do you live from Spartanburgh?

Answer. Seven miles.

Question. You have lived there one or two years?

Answer. I bought my plantation last October a year and commenced moving then, and sowed a crop of wheat, and the 8th of January a year ago I moved my family there.

Question. Do you say you have had no personal difficulty with white or black men since you have moved there?

Answer. I had a personal difficulty with a freedman that I had living with me.

Question. Give us an account of that.

Answer. We had a few words, not very much—a few words.

Question. He was in your employment?

Answer. He was on my place and was moving off, and was doing some thing I thought he ought not to have done.

Question. How far did he move off?

Answer. About four miles.

Question. What was the difficulty about; was he taking away property that was not his own?

Answer. Yes, sir.

Question. You charged him with doing that?

Answer. Yes, sir.

Question. He got enraged?

Answer. Yes, sir; he got mad.

Question. Did he make any threats?

Answer. No, sir.

Question. What did he say?

Answer. He said he was not taking anything more than belonged to him. It was about a stack of fodder. I said, "Bill, it is all right except that stack of fodder; you have not given me my part out of that fodder." He said he had. I said he hadn't; "When you reported your fodder as pulled down and tied up I have taken an account of it and know." Still he said he had. I said, "Come to my books and you will see an account of it."

Question. Did it come to a personal collision?

Answer. No, sir; not at all.

Question. Only a difference?

Answer. Yes, sir.

Question. You charged him with a theft and he denied it?

Answer. Yes, sir; that is all the difficulty we had.

Question. Is that all the difficulty you have had in that neighborhood with white or black men?

Answer. Yes, sir; I have not had a difficulty with a neighbor or friend that I know of since the war, not only in that neighborhood, but with anybody where I came from.

Question. In describing these two difficulties you had, you say that things like that have been caused by politics?

Answer. I think so.

Question. Have you studied the condition of society here enough to see that possibly that is a mistake?

Answer. I do not know whether I have studied it thoroughly or not.

Question. All these men that you knew there were of a low grade of character, according to your description?

Answer. They are graded in this way; they are graded as the common poor class of people in our country. Their reputation is not worse than mine or anybody else's; they are poor men.

Question. You say they came there all drunk?

Answer. They were drunk. As a general thing through this country men get drunk.

Question. Don't you know that the real difficulty springing up in this country is a question of labor rather than politics—a question of social position and social caste more than the general politics of the country—that between these poor white men and the negro a question of labor is arising?

Answer. I don't know.

Question. Have you looked into the inner structure of this condition of social relations?

Answer. I have looked into the labor question in this way: I and some of my neighbors have talked about it; that the running off of these hands by whippings, &c., has driven away our labor until we cannot get labor to cultivate our farms.

Question. How much of politics is there in that?

Answer. I don't know whether there is any politics in it or not.

Question. This man Gray Hampton has been killed since then?

Answer. Yes, sir, by Mr. B. F. Bates.

Question. The two Vandivers were young men?

Answer. Yes, sir. I do not know what they meant; I can't tell. There is Mr. B. F. Bates's name you will see written on that paper, [referring to the circular fragment of paper heretofore produced by him.] They called for [on] him the night they were at my house.

Question. Is not this a fragment of a letter?

Answer. I do not know what it is; you must judge for yourself. It was together, all but at one place, making a circle, and the name of Mr. B. F. Bates was at the bottom of the writing.

Question. I was not inquiring about that paper, but about these Vandivers and their ages.

Answer. I do not know. You asked about Hampton being killed and then I handed you that piece of paper.

Question. Did Hampton have that on?

Answer. No, sir.

Question. Was it either of the Vandivers?

Answer. No, sir.

Question. You say the two Vandivers were undisguised except smut on the face and their coats turned wrongside out?

Answer. Yes, sir. They had on yellow coats.

Question. Did you see a white man that night?

Answer. Yes, sir; they were white men.

Question. How do you know?

Answer. Some parts of their faces were not smutted.

Question. Is there any peculiar expression in a little spot of a man's face to recognize him by?

Answer. It seems to me that if some part of a man's face was smutted and I was acquainted with him, that by some very small parts of his face I could tell him.

Question. How much was not smutted?

Answer. It seems to me that a man I have been personally acquainted with—

Question. I ask how much of either of these two men's faces was left unsmutted?

Answer. I do not think that half of their faces were smutted. There was some smut along back here on their faces on each side, and on the forehead it was smutted; but the front here was not smutted, nor the eyes, nor the nose, nor the mouth.

Question. Did you address them as Vandivers?

Answer. No, sir; I called them gentlemen.

Question. Did you know the Vandivers before that?

Answer. Yes, sir.

Question. Were you friendly or unfriendly?

Answer. As friendly as with any men I knew.

Question. No difficulty between you before that?

Answer. No, sir.

Question. What were the politics of the Vandivers?

Answer. They belonged to the democratic club.

Question. They had a democratic club there?

Answer. Yes, sir, at Paeolet. They lived between Paeolet and Batesville.

Question. You said you were cool, but you did not mean to say that you felt no alarm?

Answer. I felt in this way: I felt very well satisfied that I was going to get whipped.

Question. What reason had you to believe that it would stop there?

Answer. I do not know whether I can assign any reason, but I did not think I would be killed.

Question. You say you knew Richard Millwood; had you known him before that?

Answer. Yes, sir, from his cradle.

Question. Been intimate with him?

Answer. Yes, sir; boys raised together.

Question. Never any trouble between you ?

Answer. I and him as little school-boys used to fight.

Question. But you and he had been in the confederate army for three years ?

Answer. Yes, sir.

Question. You and these boys were in sympathy with each other except as to politics ?

Answer. We were born within three miles of each other, and raised up until we were right smart little boys, and he moved off up to this country, and I have never seen him, except two or three times in the war.

Question. You knew Gray Hampton before you recognized him that night ?

Answer. Yes, sir.

Question. You never had had any trouble with him before ?

Answer. No, sir.

Question. Nor Jasper Hayne, nor Allen ?

Answer. No, sir. I will tell you all the trouble we have ever had, if you will take the trouble to hear it. I do not know whether it is trouble or not. There was a warrant issued here by Mr. Fleming, if I am not mistaken. I think a freedman took it out. It was sent to me to go and hunt Mr. Allen and bring him forth. It was said then that Allen would be taken by nobody. I went cheerfully and kindly to Mr. Allen's house and found him at home, and treated him with reason, and he treated me the same way, and he came quietly with me.

Question. That is all the trouble you had with Allen ?

Answer. That is all.

Question. You say the first party on the 4th of March consisted of about twelve men ?

Answer. I think there was about fourteen men in the house.

Question. Were they armed ?

Answer. They had pistols in their hands.

Question. Were they all disguised ?

Answer. Pretty much all in some kind of disguise.

Question. You had heard of the Ku-Klux business before that in different parts of the country ?

Answer. Yes, sir ; and some pretty severe ones.

Question. Do you say that you were not alarmed either on the first or second night, and particularly the first night ?

Answer. I tell you I was only alarmed in this way : I expected a whipping. When I jumped off of the bed at first, the noise awakened my wife. She was asleep before. She says, "What is the matter ?" I answered her, "Somebody is around the house." "Lord of mercy !" said she, "What do you think they will do ?" "I expect they will whip me," I said. She started to get up. I stepped back and said to her, "Lie quiet ; if they are going to kill they will kill, and if they are going to whip they will whip."

Question. Have you any children ?

Answer. Yes, sir.

Question. In this room ?

Answer. Yes, sir.

Question. Were they lying quiet ?

Answer. Yes, sir. Two laid in the other room.

Question. You say in all this whipping you did not address Millwood, or the Vandivers, or Allen, or Hayne by name ?

Answer. No, sir ; I did not ; I called them "Gentlemen" all the time.

Question. Do you say also that, notwithstanding you had known Millwood from boyhood, and were well acquainted with all these men, and had no personal difficulty with them, unless this man Allen might have some grudge for your calling on him as an officer—

Answer. He might have done so, but if he did he has never let on.

Question. Do you say that with all these fourteen men upon you in the dead hour of night, making you get up in this manner, you did not appeal to these four or five men whom you knew, to protect you, did not make some appeal by name to them to have mercy on you ?

Answer. No, sir ; I did not make any appeal to them to have mercy on me at all.

Question. You went out and took what they were disposed to give you in any shape ?

Answer. Yes, sir ; I went out and took it. I told them at the time, from the outset, I was at their disposal.

Question. Whom did you see the next morning after this visit ?

Answer. I saw Mr. Monroe Barnet.

Question. You saw a number of people ?

Answer. No, sir.

Question. Did you relate the circumstances of the previous evening to whoever you saw ?

Answer. I did to one man, Mr. Barnet. He visited me at my house, not seeing me out where I am generally on Sunday.

Question. Did you commence a prosecution against these men?

Answer. No, sir.

Question. You have not up to this time?

Answer. No, sir. I have never told their names to anybody at all before.

Question. Is this the first time?

Answer. Yes, sir.

Question. Why so?

Answer. Because I felt myself in danger to tell it.

Question. You now seem to be in danger and yet do not seem to be in much fear of this thing?

Answer. They told me that if I told any one they would come back and kill me, and they may do it. They have said they would do it.

Question. Are you staying in town?

Answer. No, sir; I stay here sometimes.

Question. You stay at home yet?

Answer. Sometimes I do—very seldom. After this transaction I do not expect to stay at home, for I do not feel safe to do it.

Question. You never have told these names before?

Answer. No, sir.

Question. Not to Mr. Poinier nor to Mr. Fleming?

Answer. No, sir; not to any one.

Question. Not to any of all these leading radicals?

Answer. No, sir.

Question. Have you had no communication with them?

Answer. Yes, sir.

Question. How came you to appear here to-day?

Answer. They asked me if I had been whipped. I told them I had been.

Question. How did they hear you were whipped?

Answer. How do all stories go through the country?

Question. But you say you never told anybody?

Answer. I said I told Mr. Barnet the next evening, and it was scattered all over town here. My nearest neighbor, Sanford N. Smith, came to see me.

Question. Was there any rumor also that the Vandivers and Hayne and Allen and Millwood whipped you?

Answer. No, sir; I never used any names at all, for I was afraid.

Question. Why do you use their names now?

Answer. I have been called here to tell the truth, and I expect to do it if I suffer for it afterward.

Question. You have said there were about fifteen the last time, and at least fourteen the first time, six of whom you knew?

Answer. Yes, sir.

Question. You said, in reply to the chairman, that all these men belong to the democratic party; how do you know that?

Answer. They belong to the democratic club at Pacolet.

By the CHAIRMAN:

Question. Is this feeling that you express here, that is, the fear of revealing names, prevalent among persons who have been whipped?

Answer. Yes, sir; the persons who have been whipped will not use any names; they will not tell me any names; they may tell others.

By Mr. VAN TRUMP:

Question. Have they told you they knew anybody?

Answer. They would say, "I don't reckon I know anybody of them; they were in disguise." That is what they say.

By the CHAIRMAN:

Question. Give us your own belief, living in that neighborhood, as to whether persons who are whipped by these people in disguise are deterred by fear from revealing who the parties are?

Answer. They are whipped by these people in disguise, and are afraid to say anything about it for fear they will be whipped again or killed. They are generally told that they must not tell or they will be killed, or "there will be a hereafter;" and we hear of a great many being killed.

Question. What deterred you from suing these men?

Answer. If I made any move at all toward them I expected nothing but to be killed, and I would rather let them go than to be called away from my helpless wife and little helpless children; I would rather they would go free from now to their doom than to have anything said against them, so I can stay with my helpless family of little children and my wife.

By Mr. STEVENSON :

Question. Where do you live ?

Answer. In the neighborhood of Cedar Springs Academy, near the railroad, in Pacolet Township, in this county.

SPARTANBURGH, SOUTH CAROLINA, July 7, 1871.

WILLIAM MOSS (colored) sworn and examined.

By the CHAIRMAN :

Question. Where do you live ?

Answer. I was living at Dr. Jones's, and the Ku-Klux ran me off, and I have been knocking about since the 1st of May.

Question. When did they run you off ?

Answer. The 1st of May, when they killed old Wally Fowler.

Question. What did they do to you ?

Answer. They never did anything to me, except they shot at me three times, and I ran off. They took me off and blindfolded me, and then they took the blindfold off, and two of them were behind me then ; but when I got to the bushes I ran from them and got away, and they shot at me three times.

Question. How near was that to the time Wallace Fowler was killed ?

Answer. The same night.

Question. How far did you live from him ?

Answer. Not very far ; it was on the same place.

Question. What did they say to you ?

Answer. They never said nothing but " God damn you, we have got you," and for me to follow them.

Question. Did they come to your house ?

Answer. Yes, sir ; they come to my house to find me out.

Question. How many came ?

Answer. Ten or twelve came that night.

Question. How were they dressed ?

Answer. They had horns and red stripes all about on them.

Question. Had they any arms ?

Answer. Yes, sir.

Question. What kind ?

Answer. Pistols.

Question. Did they give any reason for taking you out ?

Answer. No, sir ; none at all.

Question. Are you afraid to go back there ?

Answer. Yes, sir.

Question. Why ?

Answer. I am not going back there any more.

Question. Are you married or single ?

Answer. Married.

Question. Where is your family ?

Answer. She's gone back to the old man, her father.

Question. Where did he live ?

Answer. At David Harris's.

Question. Down in that neighborhood ?

Answer. Yes, sir.

Question. Have you any children ?

Answer. Two.

Question. Are you living here ?

Answer. Yes, sir ; knocking about here. They got at me on Monday night again. I went down, and they got at me and blindfolded me, and took me out and hit me four or five licks, and I got away again.

Question. That was where ?

Answer. Down at Dave Harris's.

Question. When was that ?

Answer. Last Monday night, about two miles and a half from where I was before. They hit me four or five licks, and I got away again, and they shot at me again.

Question. How many were they ?

Answer. Three or four, I think.

Question. How were they dressed ?

Answer. I only saw the one who took me out of the bed.

Question. Was he disguised ?

Answer. Yes, sir ; he had horns and all.

Question. What did he say?

Answer. He said I had reported the whole country. He was going to hit me five hundred lashes.

Question. How often were you struck?

Answer. They hit me about four lashes.

Question. Severely?

Answer. Yes, sir; pretty hard.

Question. Where?

Answer. On my back.

Question. Did it break your skin?

Answer. No, sir.

Question. What did they say to you there at that time?

Answer. They said nothing more than that I reported the whole country; that was all.

Question. Had you spoken of this thing?

Answer. No, sir; never in my life.

Question. Had you spoken of the first whipping that you got in May?

Answer. No, sir.

Question. Do the colored people down there feel safe?

Answer. The biggest part of them have gone off; the men have done left, and gone.

Question. Why?

Answer. They were afraid of the Ku-Klux, and have gone off.

Question. Since when?

Answer. Since along the last of May.

Question. How many colored people down there have been whipped or shot at?

Answer. There was not any whipped or shot at except at Dr. Jones's, or right about there.

Question. How many around there have been whipped or shot at?

Answer. There was not any more whipped or shot at right around there except Mat Lancaster; they took him out, and he got away the way I did; they shot at him and hit him on the side of the head with a ball. That was the same night I got away the first time.

Question. Was this what made the colored people afraid?

Answer. I expect so.

Question. Had you taken any part in politics down there?

Answer. No, sir.

Question. Have you voted?

Answer. Yes, sir; I voted three or four times.

Question. With which party did you vote?

Answer. The radical party.

Question. Had you taken any other part than to vote?

Answer. No, sir.

Question. You had not gone around among the colored people about it?

Answer. No, sir.

Question. Did they say anything to you about that when they came to you?

Answer. No, sir; I never gave them no time to talk to me; I run off from them both times.

By Mr. VAN TRUMP:

Question. Were you a slave before the war?

Answer. Yes, sir.

Question. Who did you belong to?

Answer. Henry Mudd.

Question. Did he live in that neighborhood?

Answer. No, sir; over on the railroad.

Question. About the 1st of May last, or on the same night when Wallace Fowler was killed, you say that ten or twelve called on you?

Answer. Yes, sir.

Question. Persons in disguise?

Answer. Yes, sir.

Question. All had horns?

Answer. Yes, sir.

Question. Did you know any of them?

Answer. No, sir.

Question. Could you see whether they were white or black men?

Answer. No, sir; they were all disguised.

Question. Had you had any trouble with any of the colored men there or anywhere else?

Answer. No, sir.

Question. Never had a quarrel?

Answer. No, sir.

Question. Are you sure of that?

Answer. I never had no quarrel with no colored man.

Question. If you were afraid to go back after that, what took you back when you went back the second time?

Answer. I never went down back to where Dr. Jones's was, but to where my wife was; that is about three miles away from there.

Question. Your wife went to her father's to live after you came here?

Answer. Yes, sir.

Question. Who persuaded you to come here?

Answer. Nobody; I came myself?

Question. Who advised you to stay after you came here?

Answer. Nobody; but I was afraid to stay out in the country.

Question. You had no talk with anybody in town about it?

Answer. No, sir.

Question. Not the slightest?

Answer. No, sir.

Question. How did somebody find out that you were a witness in this case?

Answer. I do not know.

Question. You do not know who had you summoned?

Answer. No, sir.

Question. You had no talk with Mr. Poinier nor Mr. Fleming?

Answer. No, sir; never a word.

Question. Have you had any talk with Mr. Congressman Wallace?

Answer. No, sir; I never said a word to any man here in town about it.

Question. You say they charged against you that you had reported against all the country; what was that?

Answer. I do not know what they meant by it.

Question. Are you sure they used the word report?

Answer. I never reported no man.

Question. Did they use the word report?

Answer. Yes, sir; that I reported the whole country.

Question. You do not know what they meant by it?

Answer. No, sir.

Question. You say you voted three or four times?

Answer. Yes, sir.

Question. At how many elections? Do you mean that you voted three or four times at the last election?

Answer. No, sir; but in three or four years.

Question. You never took any active part in going around making a fuss in politics?

Answer. No, sir; none at all.

Question. You lived on Dr. Jones's farm at the time of the first attack; have you no idea who attacked you?

Answer. No, sir.

Question. Do you not believe it was some of the tenants on the farm?

Answer. I sort of had an idea it was. The doctor turned off several of the white folks, and I lived in one of the houses they went out of.

Question. How long before they attacked you had these white men left?

Answer. They went just before Christmas.

Question. How far did they move off?

Answer. Four or five miles.

Question. How many of the white men were put off that farm?

Answer. Three families.

Question. And negro men put in their places?

Answer. Yes, sir.

Question. Do you not believe it was something growing out of that which made these men visit you?

Answer. I expect it was.

SPARTANBURGH, SOUTH CAROLINA, July 7, 1871.

SAMUEL SIMMONS (colored) sworn and examined.

By the CHAIRMAN :

Question. Where do you live?

Answer. At Mrs. Whittemore's.

Question. Where is that?

Answer. Up here in Beech Spring Township, in Spartanburgh County.

Question. How long did you live there ?

Answer. I have been living there since Christmas—the year of the surrender—since just about two weeks before Christmas.

Question. Have you ever been visited by anybody in disguise ?

Answer. Yes, sir.

Question. When ?

Answer. It was the last Friday in last May.

Question. Go on and state what was said and done to you.

Answer. They came up—some men out of doors. I had been out that night, me and another neighbor, hunting, and I got home and was in bed lying down, and I heard my dog making a mighty noise out of doors, and I got up and went out and didn't see anybody, and went back again and laid down and got asleep, and all at once the door fell right in the middle of the floor, and two men came in. I didn't see them do it, but there was a rock lying there next morning where they struck the door at the hinge and the bottom. They ran in and grabbed me and said, "Come out here; your countrymen has come to see you, sir; come out, come out." I got up and went to come out. I went to put on my breeches and they took them away from me, and didn't let me put them on. He says "Where is your arms?" I said, "I have no arms no more than a case knife." He says, "You have; don't you belong to the militia company?" I said, "There was a militia company made up and I joined them." "Where is your arms?" he said. "I have no arms," says I. "Didn't you draw arms?" says he. "No," says I. "Didn't anybody draw arms here?" says he. I says, "Some were ordered to Spartanburgh but they did give them out." He said, "You have got arms;" he says, "Hold your shirt over your head and I will make you tell where your arms is." Then one says, "No, don't whip him, just let him stand off there and shoot him." They made me step off before them and made a row around me, about twenty-five of them, and they altogether cocked their pistols at me and asked me where my arms were; I said I hadn't any. One said, "Shoot him;" another said, "No, hang him; get a rope and we will settle him," and then they got a rope and one said, "Choke him, and he will tell;" and they said, "Will you tell?" I said, "I have told you all I can." They said, "Where is your militia arms; haven't you got guns?" I said, "No, I have not." They said, "Where is the paper of your company; have you got that?" "No, sir, I have no paper of my company." "Yes, you have; get on your knees and go to praying." I says, "Are you going to kill me?" "Yes, your time is growing short; get down and pray." I got down and prayed as good as I could, I thought they were going to shoot me sure enough. One says, "Now get down." I got down and he pulled my shirt over my head, and one of them held it over my head, and one stepped up and gave me five licks as hard as he could, and then another gave me five, and another gave about four, and he stepped back; and then he says, "If we let you off with this will you never tell?" I says, "No, sir, I will never tell." "Who did you vote for?" says he. I says, "Scott and Ransier and all the following candidates." "What did you do that for?" I said, "They spoke here and I liked their speeches better than anybody else's." "Didn't you like Carpenter's speech?" I said, "No, I didn't like it as well as Ransier's." "Didn't any of your countrymen tell you to vote for Carpenter?" "Yes," I said. "Why didn't you do it?" says they. I said, "I thought I would go by my own opinion. Some told me to vote the democratic ticket and some the radical ticket, and I went according to my own opinion." One of them said, "Don't you know I have been dead nine years?" I said, "No, sir." He said, "Well, we have been lying in here nine years and we saw you radicals were running over our grandchildren and we come from hell here to-night to see you. Don't you believe we come from hell?" I said, "No, sir, you look like men." He said, "You go over to Mount Zion graveyard and you will see our graves open there now." One says, "Have you a mattock?" I says, "Yes." "I want you to go over there," says he; "my head rock was a little too close to me"—his horn was bent down a little—says he, "as I rose up to-night the rock struck my horn, and do you see where I broke it? Do you see where it is broke?" I said, "Yes." "Now don't you think I am from hell?" I said, "No, I think you are men or you wouldn't talk so." They went on and searched my house, and then they came to me and said to me, if I told any one they would be there to kill me.

Question. Did you know any of them?

Answer. No, sir, I couldn't know nothing at all. It was a dark and drizzly night and they grabbed me so quick I didn't know anything at all.

Question. How were they dressed?

Answer. They had on white gowns, all but two. One had on a black gown. They all had something over their faces and they did not have on hats at all. Some had one horn; some had two horns; some had one horn hanging down and another sticking up.

Question. How were the men told to whip you; did you hear any orders given?

Answer. No, sir; I did not hear any orders given, only one would step up and give me a whipping and then another. They said every one was going to whip me, but they did not.

Question. Did they hurt you?

Answer. Yes, sir; they did hurt me.

Question. Did they break your skin any?

Answer. Yes, sir. I reckon at nearly every lick they broke my skin, they struck me so hard.

Question. Where are you living now?

Answer. At Mrs. Whittimore's. I did not go off the place.

Question. Are you married or single?

Answer. Married.

Question. Have you a family?

Answer. Yes, sir.

Question. Are you living in the same house?

Answer. Yes, sir.

Question. Have you ever been visited again by any of them?

Answer. No, sir; they have never come since.

Question. Do you feel secure there?

Answer. They said if I would never tell it they would not pester me any more; but if I did tell it they would pester me. I never told until now.

Question. How did it come to be known that you were whipped?

Answer. I do not know. The next day I went to the meeting. They whipped me on Friday, and Sunday at church I could hear folks talking about it. I do not know how they got to hear of it.

Question. When colored people are whipped does it get to be known?

Answer. Yes, sir. I never heard tell of one yet but what it was known right off.

Question. You did not tell it?

Answer. No, sir; not until after I heard it.

Question. Have you no idea of who any of these men were who were there?

Answer. I do not know that. There was one gentleman who threatened me.

Question. Did you see him there?

Answer. I did not see him at all. He might have been there. If he was I didn't know it. I have been threatened by him.

Question. Have you any other reason for thinking he was there, than merely because he threatened you?

Answer. Here is the reason I think he must have been there; because the lady I drive for, Mrs. Whittimore, lives here in town and I live on her plantation, about eight miles out, and she had two horses that she did not like very well, and she said, "Sam, I will give you this horse in your hands, and the first time you can get a good trade take it; but I will not take less than \$80 for him; but if you can make a good swap for him, make it." I went on, and young Mr. Beloue overtakes me on the road, and says, "Boy I want to swap for that mule; don't you want to swap?" I said, "No, sir." He says, "You had better swap off that mule, and get a better one." I says, "No, that mule aint for trading at all." He says, "How would you like to swap your horse off?" Says I, "If you will give me a fair bargain I will trade." Says he, "Is he a good horse?" I says, "A good saddle horse and a good buggy horse." He says, "That is the very sort of a horse I want; my mule is too slow;" and says he, "I will give you a good trade—"

Question. How did all this end?

Answer. Well, we made a swap, and he carried off the horse and kept him a day, but did not like him, and came down here, and me and Mrs. Whittimore was going back to the plantation—

Question. Did this end in a quarrel?

Answer. I will tell you. He came up to the wagon and says he, "I am going to have my mule or blow your God damned brains out." Mrs. Whittimore says, "You can't get the mule. Did not you make a trade? He told me so." Then he says, "Yes, but I don't like the horse, and I will put six balls through your boy or have him back." She says, "You can't have him." He says, "If you don't give me back my critter I will bring the Ku-Klux on you, and swing you to a limb until you are dead, by God."

Question. Do you wish us to understand that he was with these men on that night?

Answer. He said he was going to bring them on me, and I think he did.

Question. Did you see anybody that night that you thought was Beloue?

Answer. No, sir.

Question. Have you slept in your house ever since?

Answer. Yes, sir; all the time.

By Mr. VAN TRUMP:

Question. How long before the first Friday in May was it that you traded this mule with Beloue?

Answer. I do not know exactly how long it was—some two or three weeks; but just how long I can't tell.

Question. Was it the same spring?

Answer. Yes, sir.

Question. It was not the summer before?

Answer. No, sir. Mrs. Whittimore just moved down here in March.

Question. How near does Beloue live to Mrs. Whittimore's farm?

Answer. About ten miles from there.

Question. Did you know him before you met him?

Answer. No, sir; I never had any acquaintance with him before the mule trade.

Question. How did you find out his name?

Answer. I asked him his name in this trade, and he told me his name and I told him mine.

Question. How long after the trade before you met him in the wagon with Mrs. Whittimore?

Answer. It was just the second day. He kept the horse only one day and two nights.

Question. Had he taken the mule home ten miles off?

Answer. He took my horse home.

Question. I thought you said you traded him a mule?

Answer. No, sir; he traded me a mule.

Question. He had taken your horse home after he traded with you, and before he met you and Mrs. Whittimore?

Answer. Yes, sir.

Question. Where was he going when you met him?

Answer. Up home.

Question. Where had he been?

Answer. I did not meet him; he overtook me.

Question. Where had he been?

Answer. He told me he was from Union.

Question. You did not exchange horses back?

Answer. Yes, sir. He came up, and Mrs. Whittimore said if he was going to have me taken by the Ku-Klux I had better give him back the mule. There was a girl in the wagon. Mr. Harrison told me not to untie the mule, I would be breaking the laws of the country. Mr. Beloue told the girl that was there to untie the mule, and she did.

Question. Did Boloue get the mule?

Answer. Yes, sir.

Question. Was he satisfied?

Answer. Yes, sir.

Question. He did not swear any more after that?

Answer. No, sir.

Question. Are you sure that you have stated exactly all that long talk between you and the man of the Ku-Klux?

Answer. Yes, sir; I am.

Question. How did you get it so fast in your head that you can tell it right off here?

Answer. He talked it to me. We were right there together.

Question. Were you frightened?

Answer. No, sir; not at all.

Question. You knew they were Ku-Klux?

Answer. Yes, sir.

Question. You had heard of them a long time before?

Answer. Yes, sir; all the time—a great deal of them.

Question. If the black men are so afraid of the Ku-Klux, why were you not afraid of them?

Answer. I was scared by them, but I knew I had never done anything to them that they should want to Ku-Klux me.

Question. You were not frightened at all?

Answer. I was a little frightened, but not enough to take the mule out and give it to him.

Question. But I am speaking of the time when you were whipped?

Answer. O, yes; of course I was scared. It was enough to scare any man on earth.

Question. The conversation I wish to draw your attention to was the conversation on the night that you were whipped. Were you frightened then?

Answer. Yes, sir; very much frightened.

Question. How do you undertake to tell in such a long strain what you and he said?

Answer. That was not the same time the Ku-Klux had me when Beloue had the fracas with me; it was before that.

Question. You misunderstand me again. I am calling your attention to the long talk with the Ku-Klux on the night when they whipped you and when they asked for arms, &c.?

Answer. Yes, sir; I remember that.

Question. And about hanging you, and whether you had militia papers?

Answer. Yes, sir; I remember that.

Question. That is the conversation I am now asking about. You say you were terribly frightened. Now, how can you recollect a conversation so distinctly between that man, backwards and forwards throughout that long talk which you told, and really was going on still longer when the chairman stopped you, not wanting so much of that kind of talk?

Answer. I can just remember; and I knew what he asked me, and I would answer his questions.

Question. Are there any white republicans living near you?

Answer. There is one within a mile and a half of me.

Question. Is that the closest?

Answer. Yes, sir.

Question. Did he see you often?

Answer. Yes, sir.

Question. Talk about politics?

Answer. Yes, sir.

Question. About the Ku-Klux?

Answer. Yes, sir.

Question. How often do you come to town?

Answer. Not so often since the crop is making.

Question. What is the name of the white man within a mile and a half from you?

Answer. Claudius Turner.

Question. Does he talk a great deal with the negroes down there?

Answer. He talked with them a great deal before the Ku-Klux got so strong up there, and then he got a little sort of shy of talking so much.

Question. You have had a good many conversations with him since the Ku-Klux visited you?

Answer. We lived close together, but he don't talk so much now to everybody around, but he talks to me.

Question. Have you and him talked over this conversation that you and the Ku-Klux had, since it occurred?

Answer. Yes, sir.

Question. Quite often?

Answer. Yes, sir.

Question. Did you tell him just as you told us?

Answer. No, sir; I did not tell him at all, because they told me if I told it they would come and kill me; and so when he would ask if they whipped me, I would say, "Yes, they came to my house;" but I did not state what they said, because they told me if I said that they would kill me.

Question. If Turner was trying to get out of you what took place and you never told him, how did you talk so often about it?

Answer. He would keep telling about what the Ku-Klux was doing off here and there, not what they were doing at my house, but what we would hear that the Ku-Klux were doing, and we were talking about it.

Question. Did you see him just before you came to town this time?

Answer. No, sir.

Question. How long is it since you saw him?

Answer. I think it is just about three weeks.

Question. Have you had any trouble with any colored men out there?

Answer. Yes, sir; but there is but one man.

Question. Who is he?

Answer. Miles Golightly.

Question. Did he go lightly on you?

Answer. No, sir; he did not go lightly on me at all, but that is just his name.

Question. What was the trouble between you and him?

Answer. We got into a little dispute, and he talked and I talked.

Question. Did you have a fight?

Answer. No, sir; I do not suppose he would fight at all. I never heard of his fighting anybody.

Question. Did you have any trouble with any other colored men up there?

Answer. We have had a long while back, but not lately.

Question. You colored men never have any fights at all in South Carolina?

Answer. Some of them quarrel, but I never struck a man since I have been a free man, with my fist.

Question. You say they struck you each time five licks?

Answer. Yes, sir.

Question. By a different man every time?

Answer. Two different men gave me five different licks, and the other three.

Question. Did you not say that three gave you five licks and one gave you four?

Answer. If I did I made a mistake.

Question. You say the last one gave you three licks?

Answer. It was three or four.

By Mr. STEVENSON:

Question. You say they told you that some of your good countrymen were out there to see you?

Answer. Yes, sir.

Question. What did they mean by that?

Answer. I do not know.

Question. Do the white people up there call themselves your countrymen?

Answer. I never heard this "good countryman" called until the Ku-Klux called it.

SPARTANBURGH, SOUTH CAROLINA, July 7, 1871.

PATRICK W. TANNER (colored) sworn and examined.

By the CHAIRMAN:

Question. Do you live in this county?

Answer. I do, about seven miles and a half from this place.

Question. Have you been visited by the Ku-Klux at any time?

Answer. Yes, sir.

Question. When was it?

Answer. The last Monday night past.

Question. Tell us all about it.

Answer. I was a-bed asleep when they came. My wife and oldest daughter were sitting up; all my family was gone to bed except these two. They came and knocked at my door, and my daughter says to them, "Push open the door, it is not fast, and come in." Then they threw the door wide open, and when they threw it open she saw they were not the right kind of folks; that they were Ku-Klux, and had their horns on their heads and tassels on. She called me in the bed, "Father, father;" she called me twice. I answered her the second time, and this time the man ran to the bed where I was, and when he got there he cursed me and jerked me and told me, "Come out here." I rose up; I was sort of frightened in my sleep, and he said, jerking me, "Don't you look at me, damn you." He tried to change his voice, and I jumped up. My chair was by the bed and my clothes. He jerked them out of my hand and threw them; and he took the pillow out of the pillow-case and drew the pillow-case over my head and led me out of the door and handed me to another one, and asked me "Where is William Moss?" I said, "He went to Spartanburgh to-day." He says, "Damn you, where is he?" I said, "He is lying in the bed." He said, "We are not going to hurt you, show him to me." Then he gave me a shove. This one that talked to me the first time then came out and he fetched this William Moss out, and let me go then and gave me a shove back in the house and I slipped the pillow-case off of my head. By this time they had got out of the house and I couldn't see who they were. When I had slipped off the pillow-case I slipped out of the house and got over the fence and got away.

Question. Is the William Moss of whom you speak the man who was in here this morning and testified?

Answer. Yes, sir, he is my son-in-law. As they went off I went out. They came back. He got away from them; he ran and they shot at him twice; and they came to my house. I had an Enfield rifle I had bought here at auction, and they had taken that away, and the boy I had hired had a pistol and they took that away, and have got them yet. When they came back my wife and daughter was there, and they asked where I was. They told them they didn't know where I was. Then they told them that if they didn't get me pretty quick they would kill them all. My wife had been confined and she had had a baby within a month, and this frightened her so—for she had to lay out that night, and she caught cold and can't help herself now. She is farther back now than she was before. These men told me that if I didn't leave there pretty shortly they would kill the last one of us; that we should not stay there.

Question. Did they say what they wanted with Moss?

Answer. They said he reported them.

Question. What for?

Answer. They had caught him once before at a place a little below me, about three miles below me. He was making a farm there for a man named Dr. Jones. He got away from them then. It was nothing he had done; no person could find out what he had done wrong; he was always the civillest fellow, and concerned himself with nobody's business; I am telling the truth now as well as I can in every word.

Question. You mentioned something they said about his going to Spartanburgh?

Answer. That he had been here to report them; they said he did report them here. He told them he didn't do it. That is what they wanted him for this last time.

Question. How many were at your house?

Answer. I couldn't see but two.

Question. You saw but two.

Answer. That's all. I thought there might be three, but I didn't see them all.

Question. Were there any more outside?

Answer. I don't know. As soon as I got this thing from over my head I slipped away and they were gone.

Question. Has your daughter been living with you there?

Answer. Yes, sir.

Question. How long?

Answer. I don't know exactly what time, but anyhow, when they broke them up before, my daughter moved back to me. You see they have been lately married.

Question. When you say "broke them up," you mean the time they whipped them?

Answer. Yes, sir. He brought her back and staid with me until he could do better, as they were broken up.

Question. Have these whippings of colored people made them afraid to stay at home in your neighborhood?

Answer. Yes, sir; it made them afraid to stay there.

Question. You said Moss was afraid.

Answer. All the others were afraid. We had done nothing to cause this. They had killed one man that was innocent of anything, and it made us all dubious to stay on the place where they had abused these men that hadn't done any harm. All the neighbors will give it in that I had been a peaceable man and have attended to my own business and worked hard, and it surprised them all that they should come to my house and take me out.

Question. About what time on Monday night was this?

Answer. It was between two and three hours of the night. The moon was about an hour high. This threw me back in my business; I have a large crop on hand; I have worked mighty hard to take care of it.

Question. How much land have you?

Answer. I have rented forty-three acres of land and I give \$115 a year, and I have a good crop in. About one-half of it is bottom land and the balance upland. I have been living on that place; this is the fourth year, and I have paid not less than \$100 a year.

Question. Do you feel afraid of the Ku-Klux since this Monday night last?

Answer. I am dubious of them, because they think that may be I will report and I don't rest in my own house.

Question. Did you know either of these men?

Answer. I had an idea of them; but to say it positively of them I can't say.

Question. Have you any belief as to who they were?

Answer. One of them, I believe, I know.

Question. Who was he?

Answer. That's another matter again; I think I know, but, perhaps, it might not be—because this man may injure me worse than before.

Question. Did you see enough of him to satisfy you in your own mind?

Answer. One person I did.

Question. Who was he?

Answer. Must I tell or must I not? This is a hard question. I want to be safe in telling it. I don't want any hereafter.

Question. Do you feel afraid to tell?

Answer. Yes, sir, I do.

Question. What are you afraid of?

Answer. Afraid that it will injure me hereafter if it is ever known that I have told.

Mr. STEVENSON: I think we should insist on having the names.

The CHAIRMAN: We would prefer that you should state that name if you are satisfied in your own mind that you have the right man.

Answer. I am pretty well satisfied; but if I do tell you who he is, I wouldn't want it to be known that I have told you.

Mr. VAN TRUMP: I want to be fair with you; if you do tell somebody will know it.

Answer. That's so; that's what I am afraid of; somebody will know it, and, perhaps, him or his friends will injure me for this again, and I go in to be peaceable and do justice.

Question. They didn't touch you that night, you say?

Answer. No, sir.

Question. They were not after you?

Answer. No, sir; they said they were not going to hurt me, but what they did is hurting my family; and they have injured my wife so that I believe she will never get over it.

Mr. STEVENSON: We shall never know who did these things unless the witnesses be required to tell the names.

The CHAIRMAN: All we can say is, that it is our desire to find out who are guilty of these things. We wish to put a stop to them; that is what the Government wants to do. The testimony you give here will be printed and published after Congress meets in December.

Mr. VAN TRUMP: I must go farther than that.

The CHAIRMAN: I will go farther. I will say that it will be printed before Congress meets, and the probability is, that the committee, in going on with their investigations, may send for the very man you name.

The WITNESS: Then he will know I told it on him, and it may injure me hereafter.

The CHAIRMAN: That is one of the risks the people of this country must run. The Government is trying to do its best to give them protection. It is not for the purpose of bringing trouble on you, but to stop these lawless proceedings, that we ask you this question.

The WITNESS: Then I am compelled to tell you.

The CHAIRMAN: We want to know. How did you know him?

Answer. Once in a while I could catch his voice, and again I could tell him by his actions pretty much, and his size.

Question. Is that all?

Answer. That's all the way I knew him.

Question. You did not see his face?

Answer. No, sir; his face was covered with what we call a sky cloth over it.

Question. Then it is only by his voice and general appearance that you knew him?

Answer. Yes, sir; his actions; not that I knew him by his voice only.

Question. From these facts whom do you name?

Answer. Well, it was John Thomson; he was one of the men.

Question. There have been two John Thomsons named as living out there?

Answer. This is the son of old John Thomson.

Question. Is this all you know about it?

Answer. Yes, sir, that's all I know. I don't say that I perfectly know that, but this is my belief.

Question. Have you told us all you know about these occurrences on Monday night?

Answer. Yes, sir.

By Mr. STEVENSON:

Question. How old are you?

Answer. Between sixty and seventy—close on seventy.

Question. Have you lived here all your life?

Answer. I was raised about seven miles west of this place. I lived in this town about forty years, until freedom came in; since freedom came in I have been a farmer; before that I was a brick-mason—a rock-mason, and worked in the city here.

Question. Did you know John Thomson pretty well?

Answer. Yes, sir. He lived not far from me—about three miles off.

Question. How long has he lived there?

Answer. He lived there about two years; he lived at the place where I used to live.

Question. He used to live upon the Jones place?

Answer. Yes, sir. When I was a slave I lived where he lives now.

By Mr. VAN TRUMP:

Question. He does not live on the Jones farm now?

Answer. Yes, sir; he lives where I used to live. It's adjoining this Jones farm I live now, on Mr. Harris's?

By the CHAIRMAN:

Question. Did anybody know that your son-in-law was going down there that Monday night?

Answer. They saw him going there.

By Mr. STEVENSON:

Question. Did he have to go through that place?

Answer. He was going from here down the road, and they were going down at the same time.

Question. It is the road going by the Jones place?

Answer. No, sir; it goes by my place.

Question. How did they know there that your son-in-law was going down there?

Answer. Last Monday was sales day, and he was up there; and he was going along where all were going, and they knew his wife was there at my house.

Question. How did those fellows look in that mask; is it a good-looking thing?

Answer. He was a good-looking man.

Question. How did these masked men look?

Answer. Very curiously. As near as I can tell, they have little horns, stuck up so—squarely, and there is a wide brim, and a tassel hanging, 'most like a mule's ear.

Question. What is over the face?

Answer. It is something painted, mostly the color of yon fireboard.

Question. Anything red about it?

Answer. There are red streaks about them, and they had some kind of gowns on; they are rigged off in that way. There are little red bands and tassels on their caps; sometimes they were black. Some had red streaks around the face.

By Mr. VAN TRUMP:

Question. You say this was last Monday night?

Answer. Yes, sir.

Question. The night of sales day?

Answer. Yes, sir.

Question. They called at your house?

Answer. Yes, sir.

Question. Was that the last time they called upon Moss?

Answer. Yes, sir.

Question. They saw him that night?

Answer. Yes, sir, and had him; they got him out.

Question. You are sure it was last Monday night?

Answer. I know it.

Question. You are sure that was the same time they also had Moss?

Answer. Yes, sir; I know it, for I was in the same house; one of the beds was here and one was there. (Illustrating.)

Question. Do you know what sort of a court, or whatever it is, this is that you are before?

Answer. It is a court of justice, is it not?

Question. I hope so. Who are we; where do we come from; do you know anything about it?

Answer. No, sir.

Question. Did you hear of this committee coming here before last Monday?

Answer. Yes, sir; I have heard of its coming.

Question. Did the colored people all through your neighborhood know that there was a committee of Congress coming here?

Answer. I don't know; they have been looking.

Question. Looking for some time, have they not? Do you know whether those were colored or white men that called on you that night?

Answer. One must have been white.

Question. This Thomson?

Answer. Yes, sir.

Question. Then if you are right about that there was one white man there?

Answer. Yes, sir.

Question. They didn't hurt you at all?

Answer. No, sir.

Question. Is there any white radical lying right by you or near you?

Answer. Yes, sir; there are some that hold themselves that way.

Question. Who is the nearest one?

Answer. A man named Edmund Hawkins.

Question. Does he take a pretty active part in politics?

Answer. No, sir; he don't take any big part in it.

Question. Do you think you saw him that night?

Answer. No, sir.

Question. You are certain you saw one white man, or a man that you thought was white, and you also think it was Thomson?

Answer. Yes, sir.

Question. Are you sure it was not Edmund Hawkins?

Answer. It was not him.

SPARTANBURGH, SOUTH CAROLINA, July 7, 1871.

ELIAS THOMSON (colored) sworn and examined.

By the CHAIRMAN:

Question. Where do you live?

Answer. Up on Tiger River, on Mrs. Vernon's plantation.

Question. What do you follow?

Answer. Farming.

Question. Do you live on rented land?

Answer. Yes, sir.

Question. How much have you rented?

Answer. I think about fifty acres.

Question. How long have you been living there?

Answer. Ever since the surrender; I never left home.

Question. Have you ever been disturbed any up there?

Answer. Yes, sir.

Question. How?

Answer. There came a parcel of gentlemen to my house one night—or men. They went up to the door and ran against it. My wife was sick. I was lying on a pallet with my feet to the door. They ran against it and hallooed to me, "Open the door, quick, quick, quick." I threw the door open immediately—right wide open. Two little children were lying with me. I said, "Come in, gentlemen." One of them says, "Do we look like gentlemen?" I says, "You look like men of some description; walk in." One says, "Come out here; are you ready to die?" I told him I was not prepared to die. "Well," said he, "your time is short; commence praying." I told him I was not a praying man much, and hardly ever prayed; only a very few times; never did pray much. He says, "You ought to pray; your time is short, and now commence to pray." I told him I was not a praying man. One of them held a pistol to my head and said, "Get down and pray." I was on the steps, with one foot on the ground. They led me off to a pine tree. There was three or four of them behind me, it appeared, and one on each side, and one in front. The gentleman who questioned me was the only man I could see. All the time I could not see the others. Every time I could get to look around they would touch me with a pistol on the other side. They would just touch me on the side of the head with a pistol, so I had to keep my head square in front. The next question was, "Who did you vote for?" I told them I voted for Mr. Turner—Claudius Turner, a gentleman in the neighborhood. They said, "What did you vote for him for?" I said, "I thought a good deal of him; he was a neighbor." I told them I disremembered who was on the ticket besides, but they had several, and I voted the ticket. "What did you do that for?" they said. Says I, "Because I thought it was right." They said, "You thought it was right? It was right wrong." I said, "I never do anything hardly if I think it is wrong; if it was wrong I did not know it. That was my opinion at the time, and I thought every man ought to vote according to his notions." He said, "If you had taken the advice of your friends you would have been better off." I told him I had. Says I, "You may be a friend to me, but I can't tell who you are." Says he, "Can't you recognize anybody here?" I told him I could not; "In the condition you are in now I can't tell who you are." One of them had a very large set of teeth; I suppose they were three-quarters of an inch long; they came right straight down. He came up to me and sort of nodded. He had on speckled horns and calico stuff, and had a face on. He said, "Have you got a chisel here I could get?" I told him I hadn't, but I reckoned I could knock one out, and I sort of laughed. He said, "What in hell are you laughing at? It is no laughing time." I told him it sort of tickled me, and I thought I would laugh. I did not say anything then for a good while. "Old man," says one, "have you got a rope here, or plow-line, or something of the sort?" I told him, "Yes; I had one hanging on the crib." He said, "Let us have it." One of them says, "String him up to this pine tree, and we will get all out of him. Get up, one of you, and let us pull him up, and he will tell the truth." I says, "I can't tell you anything more than I have told. There is nothing I can tell you but what I have told you that you asked me." One man questioned me all this time. One would come up and say, "Let's bang him a while, and he will tell us the truth;" and another then came up and said, "Old man, we are just from hell; some of us have been dead ever since the revolutionary war." Another one said, "We have heard your conversation for the last six months. I came up from under your kitchen floor just this night, and I have heard your conversation a good while." I was not scared, and said, "You have been through a right smart of experience." "Yes," he says; "we have been through considerable experience." One of them says, "We have just come from hell." I said, "If I had been there I would not want to go back." One says, "Have you heard a wild goose holler lately?" I said, "I heard one the other night." Said he, "That is one of us coming over and looking down to see what you have been doing this time." I said, "You must fly, then." He says, "When we start we can go a long ways." And then said, "How far is it to Asheville?" I said, "About sixty miles." He said, "How far to Spartanburgh?" I says, "Ten miles." He says, "We have got to go to Spartanburgh to-night, and from there to Asheville before daylight;" it was then about 2 o'clock. I says, "You have a long trip," and laughed. He says, "What in hell are you laughing at?" "Why," said I, "by your going such a trip." He says, "This is no laughing time." I says, "If anything tickles me I always laugh, no matter how it is." Then they made me get down on my knees and told me to pray. I told them I was not a praying man, and didn't feel like it, and could not pray. Another put a pistol to my head and says, "Get down." I got down on one knee. I said, "I can't pray." One of them said, "Let us shoot him." Some six or seven of them pointed pistols at me, and I thought they were going to shoot. They said, "Commence praying; your time is

short." I said, "I can't pray." They let me stand on my knee some time; one said something to the rest, and they went off to the others; one spoke to the others in some kind of Dutch talk—I could not understand it—and they all consulted together, and came back to me and said, "Old man, which would you rather have; six hundred lashes over your shirt, or five hundred lashes without your shirt, or be shot or hanged?" Says I, "Gentlemen, I have no choice; if you are going to do either one, either one will do me; do it now and make an end of me. But what have I done?" "You have done a d——d sight," one says. I said, "I don't know what it is. I do not trouble anybody. You can't bring anything against me by my neighbors. There is a heap of neighbors around me, and they all know me, and they can bring nothing against me. I was always said to be a good boy by Dr. Vernon that raised me." He says, "Who says so but you?" I says, "Anybody will say so." One of them says, "He has got a d——d good influence. Didn't you bribe anybody to go your way?" Says I, "No, sir." "How did you vote?" I told him I voted for Mr. Turner. I did not say anybody else but Mr. Turner all the time. He said several times, "Who else?" I never said anybody but Mr. Turner. He says to me, "Have you given advice to anybody to vote your way?" I said, "No, sir; I will tell you what I have done. I was with the parties the same day of the election, and I asked the boys how they were going to vote, and I said to them, won't you vote for Mr. Turner? and ain't you going to vote for Mr. Turner? but I could not make them do it." He says, "You have had a good influence; we must correct you a little." I told him I did not think that was any harm at all. He says, "We consider that it is." I thought they were not going to trouble me all this time. I thought it did not look so. I still kept in good spirits and laughed occasionally. They all left me but two—one by my side and another in front. They all got together again and consulted, and one says, "Let's go." I was standing, and one says, "Come, old man, come with us." I did not know what they were going to do with me. They went on with me thirty or forty steps from the house where we were standing, close to the house. Right in the road one says, "Jerk me a limb off that tree." One ran and jerked a limb off—a pretty heavy one, with two prongs to it. He says, "Pull off your shirt." "What for?" says I. "Pull off your shirt," he says; "don't you ask me anything." I didn't pull it off. "If you don't pull it off," says he, "I will shoot you in a minute. I will shoot a hole through you big enough for a rat to go through." I just turned it over my head. I had on only my drawers and my shirt. Then they hit me thirteen of the hardest cuts I ever got. I never had such cuts. They hit me right around the waist and by my hip, and cut a piece out about as wide as my two fingers in one place. I did not say a word while they were whipping, only sort of grunted a little. As quick as they got through they said, "Go to your bed. We will have this country right before we get through; go to your bed," and they started away. One of them says, "Look here, what are you going to say when anybody asks you about this?" "What can I say, sir?" He says, "What are you going to say?" I says, "I will have to say something." "Are you going to tell that we have been here?" I says, "What else can I say?" "Can't you tell a lie," says he, "and say nobody has been here?" Says I, "That would not be right." "Can't you do it?" I told him I could do it. He said, "Just let us hear of this thing, and when we come back we will not leave a piece of you." That was the end of it. They left then, and got on their horses and went away.

Question. How many were there?

Answer. I think there were about fifteen.

Question. Had they disguises on?

Answer. They had.

Question. What disguises?

Answer. They had something like speckled calico over their faces, tied about the neck, and very long gowns that came down until I could just see their feet—white gowns, white as sheets.

Question. Did they come on horseback or on foot?

Answer. They came to the bars on horseback. They had their horses.

Question. Did you know any of them?

Answer. No, sir; none of them, not to save my life; but I think probably they were men I would have known by their not letting me look. This gentleman that questioned me so particularly, I tried to know him, but I could not recognize him.

Question. Had they arms?

Answer. They had pistols that they presented to me; about seven were presented at me.

Question. Did you see any of the others have arms outside of those?

Answer. Only those that were presented at me.

Question. What time of night did they come to your house?

Answer. It was about 2 o'clock.

Question. Did the colored people in your neighborhood fear these people?

Answer. At that time everybody was afraid of them.

Question. How has it been since?

Answer. They did not ride out for a week or two after that ride the first time; but it broke out again, and now we expect them at any time, and have been fearing them.

Question. Have any of them left their homes on that account?

Answer. No, sir; that has been one of the most quiet countries we have had until lately—until about two months back.

Question. Have any other colored men been whipped in that neighborhood?

Answer. I believe that all that have been whipped have been reported here—that is, in our neighborhood.

Question. Who were whipped in your neighborhood?

Answer. They all reported here. You have their names, I think.

Question. Do you know who they were? Give us their names.

Answer. Sam Simmons; he was in here; Willis Butler, Lewis ———, I don't know his other name now.

Question. Have any of your people been sleeping out of doors?

Answer. Yes, sir; some three of them have. There are others that have been sleeping out that have not been disturbed.

Question. Do you know of any sleeping out?

Answer. Yes, sir; on Mr. Samuel Snoddy's plantation there is a boy named Simpson has been sleeping out several nights; and Wade.

Question. Are these all you know of on this plantation?

Answer. I have given it about as full and perfect as it was that night.

Question. Did you make a complaint of this matter to anybody after it happened?

Answer. No, sir; I will tell you how I did. They told me not to say anything about it. I never said a word. I said to my family, "Let me tell you, don't open your mouth. If anybody asks you if the Ku-Klux has been here, you tell them no." My wife was in bed sick, and said, "Don't you have anything to do with it, none of you."

Question. How did it get out then?

Answer. That is what I am going to say. This was on Friday, the first Friday night in May, and by 10 o'clock on Saturday it was all over the settlement. The boys, a good many of them, went to meeting on Sunday, about four miles from my house. Several came up by there, going to meeting, and said they were coming by my house. They had it that the Ku-Klux had killed or beaten me pretty near to death, and some of them said, "That's not so, for we came by his house this morning."

Question. Did the circulation of these reports cause alarm among the colored people?

Answer. Yes, sir; that evening a number came by my house from church to know about this matter. I laughed it off. Says I, "Boys, you see I am not injured much. I don't look like a man that is most dead." Says I, "Hold on for a while. Somebody knows more about it than I do. You can learn it from them. I have nothing to say about it."

Question. Is this Mrs. Vernon the wife of Dr. Vernon?

Answer. Yes, sir.

Question. He was your old master?

Answer. Yes, sir.

Question. You are living on the same place he owned when he was alive?

Answer. Yes, sir.

Question. Who is Claudius Turner?

Answer. He is a gentleman that run for the legislature here. He was on the ticket with Mr. Scott.

Question. The republican ticket?

Answer. Yes, sir; the radical ticket.

Question. You told them you voted for him, and you would not tell them who else you voted for?

Answer. Yes, sir.

Question. Was that the reason they wanted you to tell?

Answer. I asked them what I had done. They said I had done a d——d sight. I told them I had not done anything. They asked me how did I vote. I said for Mr. Turner. That was all I could hear. They could not bring anything against me.

Question. Was that the same night that Sam Simmons was whipped?

Answer. I don't think he was whipped that night. They visited his house that night, but they visited him twice but didn't see him but once. I was whipped before Sam Simmons. I was whipped on Friday night, and Pinckney Dodd was whipped on Saturday night.

By Mr. VAN TRUMP:

Question. When was this transaction—this attack on you?

Answer. I think, if I am not mistaken—for I was not paying much attention to the day of the month, and Sam Simmons knows exactly the night—I think it was the 2d of May.

Question. You say it was Friday night?

Answer. Yes, sir; I think this night eight weeks. It was Friday night.

Question. You were out through the country the next day?

Answer. Yes, sir; at a blacksmith's shop the following day, and this report was everywhere, and I was talked to about it.

Question. How do you know that unless you were everywhere?

Answer. People told me. They told me they heard it such and such places. There is a railroad running across our plantation, and some men were working there, a good many of the boys, and they said, "We have heard at the railroad that Bob Dean said he had heard it."

Question. How many pistols were fired that night?

Answer. Only one at my house; after they left they fired several.

Question. That pistol could have been heard from the railroad?

Answer. Yes, sir.

Question. You say some were fired at Simmons?

Answer. I don't know that there were.

Question. How far did Simmons live from there?

Answer. Some three miles.

Question. You were up next day, and at church on Sunday?

Answer. Yes, sir; I was up, but I didn't go to church, but my neighbors that had been to my house and had seen me that day went to church.

Question. On Saturday, did you ride out?

Answer. No, sir; I went to a blacksmith, a near neighbor of mine.

Question. Was that the only place you went on Saturday?

Answer. Yes, sir; but there were people who had heard this thing.

Question. I am asking you what you were doing. You went nowhere except to the blacksmith shop?

Answer. Yes, sir.

Question. And you walked?

Answer. Yes, sir.

Question. Without being lame?

Answer. Yes, sir; I was not hurt so bad as to be lame.

Question. You were not hurt much at all?

Answer. No, sir; only from the whipping.

Question. You say a whipping that made a gash as big as your two fingers did not hurt you?

Answer. You see it was where the hickories lapped together; that was how it opened as wide as your two fingers; the skin was cut. When the hickories strike so often, it makes a right smart little place.

Question. They came about 2 o'clock?

Answer. Yes, sir, about 1 or 2.

Question. And at once began to ask you to say your prayers?

Answer. Yes, sir.

Question. Didn't you think it was a serious time?

Answer. It was pretty serious, but still I had pretty good faith that they were not going to shoot me.

Question. Just before you put your foot off the step, they pointed six or seven pistols at you?

Answer. Yes, sir.

Question. Did you not feel alarmed then?

Answer. I could not speak.

Question. How did you feel?

Answer. I felt that they might shoot, but may be they would not.

Question. Did you not say, a while ago, that you thought they were going to shoot you?

Answer. I didn't know but what they might, but still I had faith that they would not hurt me to the last, until they commenced whipping me.

Question. Had you not heard of these Kn-Klux operations before?

Answer. Yes, sir; but never to know that of them.

Question. That colored men and white men had been killed?

Answer. Yes, sir.

Question. And here were twelve or fifteen men perfectly disguised?

Answer. Yes, sir.

Question. And at least seven pistols with them?

Answer. Yes, sir.

Question. And yet you say that during all that interview you were not seriously alarmed?

Answer. No, sir; but very little; but just occasionally I would feel that there is no danger; they are trying to scare me.

Question. On the other hand, you were exceedingly tickled several times, and could not help laughing?

Answer. Yes, sir; that is true. It didn't frighten me so much, but you know a man may feel differently for a minute sometimes.

Question. You say after all that you had heard of the Ku-Klux, of this terrible organization, you felt no alarm, and were tickled several times?

Answer. The reason I felt so was because I had done nothing. I thought, "They are not going to kill me." I had a good character, and I told them so.

Question. Had not many a neighbor been whipped that had as good a character as you?

Answer. I don't know; I know people seldom trouble anybody that does everything right.

Question. Is that the state of things now?

Answer. Yes, sir.

Question. Do you say nobody is troubled that behaves himself?

Answer. I say they hardly ever trouble anybody that does right.

Question. Is that the condition of things here now?

Answer. No, sir; because a good many people don't care for character at all; but I thought my character would help me.

Question. You undertake to say, whether you were frightened or not and tickled or not, that in this interview with fifteen armed men, disguised, and belonging to a perfectly-known clan, you will undertake to detail all this conversation, and say you recollect it all?

Answer. Yes, sir.

Question. It took place just as you have stated it here?

Answer. Yes, sir, just as near as I could think of everything; there might be several little things that passed that I do not remember, but I have tried to remember everything that passed.

Question. You told nobody about it?

Answer. No, sir, not a soul.

Question. When did you first tell anybody about it?

Answer. I told some of the colored people once that they visited me and gave me so many cuts.

Question. Explain to me, if you can, if the object of this Ku-Klux organization is to intimidate the colored people, why they were so particular as to make you promise, under penalty of death, that you would never disclose the fact that you had been visited; do you understand why that is?

Answer. I can explain this fact this far: You know when they said to me to not say anything about this matter, I asked them what I must say, and when I asked, "What must I say? I will have to say something," they said, "What are you going to say?" I said, "What must I say?" He said, "Are you going to tell it?" I told them, "I have to say something, of course, and what must I say; what can I say?" Then they said, looking straight at me—

Question. Why is it that so often in giving your testimony you have to get up and make gesticulations like an orator? Have you been an orator?

Answer. No, sir; but I was showing the way they did me, and what they said to me. They said, "You just let me hear of this thing again, and we will not leave a piece of you when we come back."

Question. To whom have you talked lately about this case, or consulted here in town?

Answer. I have not consulted much about it.

Question. How long have you been waiting to be examined?

Answer. Since Tuesday about 10 o'clock.

Question. Have any white republicans been to see you?

Answer. No, sir; nobody at all.

Question. Did you see them?

Answer. I don't know who are the republicans here. I may have seen some.

Question. Do you pretend to say that since Tuesday you have not talked with any white man about your case?

Answer. With none about the Ku-Klux matter.

Question. Or about your testimony?

Answer. Only the gentleman who tested me.

Question. Who tested you?

Answer. That gentleman when I came in went over the subject pretty much to me. That gentleman that came in the room just now, [the Sergeant-at-Arms.]

Question. I am not asking about any one connected with this committee, but what citizen of the town; what republican white man here?

Answer. Nobody; but I spoke a few words to Mr. Gentry a few minutes ago. Mr. Gentry says to me, "Elias, I thought you was the last man to be troubled." I said, "I thought so too."

Question. Who else did you speak to?

Answer. I don't remember.

Question. Mr. Fleming?

Answer. No, sir. He never asked me a word since I have been here.

Question. Mr. Poinier?

Answer. Mr. Poinier was the gentleman who first examined me.

Question. Did you commence a prosecution against anybody?

Answer. I was sent out for.

Question. When?

Answer. Tuesday or Monday night—last Monday night.

Question. Did he examine you?

Answer. He questioned me when I came up if I had been whipped.

Question. Had you a long talk with him?

Answer. Not very long.

Question. Why did you not tell me, when I first asked you, who had talked with you?

Answer. This gentleman that belonged to the party I did not think of then. I thought you meant citizens of the town, outside of the officers.

Question. I asked what white republican gentlemen of this town have talked with you about this case since you have been here?

Answer. Well, that gentleman [Sergeant-at-Arms] and Mr. Poinier were the only gentlemen. The reason why I didn't tell you of Mr. Poinier was because I thought he was concerned here.

SPARTANBURGH, SOUTH CAROLINA, July 7, 1871.

PINCKNEY DODD (colored) sworn and examined.

By the CHAIRMAN :

Question. How old are you?

Answer. As near as I can get at it, about forty years.

Question. Where do you live?

Answer. Up at Widow Dodd's, about seven miles, by the Howard Gap Road.

Question. What do you do there?

Answer. Farm.

Question. Are you a renter of land?

Answer. Yes, sir.

Question. How much have you rented?

Answer. Just a one-horse farm—not as much as I wish to have; but a one-horse farm.

Question. How long have you been there?

Answer. This year makes two years. But I was raised with her, and left her four years.

Question. Have you been disturbed any in living there?

Answer. Yes, sir; from men.

Question. When?

Answer. The first Saturday night in May.

Question. Tell how many men came there, and what they said and did.

Answer. I can't tell how many; but they came when I was in bed, lying down, and I heard them come and frighten the dog, and I heard them at the door cursing; and they told me to get up, and before I got up and got there, they had the door burst open. When I got there, he told me to stop, and kept cursing me. He said, "What are you doing in there?" He asked if I had heard of the Ku-Klux? I said I had. He said, "Do you know them?" I said, "No." He said, "Is there anybody else in there? Tell him to come out damned quick, or we will help him out, damned quick. Did not you promise," he said, "to help the Ku-Klux out, if they came here?" I said, "No, I didn't say so." He says, "Never mind, God damn you; we can prove it on you. Shut up; don't talk so damned big; tell that other fellow to come out." I called him—he was lying on the bed; not asleep. I told him to put on his clothes. He says, "Never mind to put on your clothes, but come out." But he got on his clothes and come out—just outside of the door. There was another fellow living on the place, named Spencer; they brought him down there, so they say; and he was there standing outside of the gate. They had some pistols, and they said they had come from hell that night. They said, "Come out here; we came to see you to-night." I went to the gate. There they had another fellow from that other house that was with Spencer, at Spencer's house that night.

By Mr. VAN TRUMP :

Question. You and another fellow were at your own house, and Spencer was at the gate and another colored man, four of you; is that it?

Answer. Yes, sir.

By the CHAIRMAN :

Question. Go on and tell what was done.

Answer. They went out; they told this fellow with Spencer to pull off his shirt; they asked him who he voted for. He said, "For Scott." They said, "What did you do that for?" He says, "They told me that was best." "Who told you so?" says he. "What people was it told you so?" And he said, "Never mind that, I will give it to you—pull up your shirt." He had on two shirts, and when he went to pull them off, the man said, "You were fixed for it—you knew the Ku-Klux were coming." He says, "I always wear two shirts in the winter time." The man says, "What is your name?" When he pulled off his shirt, he said, "Number One," and "Hit him thirty." He commenced counting one, two, three, four, five, and when he got to five—he counted aloud to that—and I could not hear him count aloud after that. After a while he told him to stop, and he stopped hitting; and he asked him, "Do you think you will ever vote again?" He said, "I don't know." Said he, "Do you think you will ever vote for Scott again?" He said, "I don't know as I will." He says, "Number Two, hit him five." Then Number Two, another fellow, stepped up and hit him. I suppose he hit him five. He says, "Do you think you will vote for Scott?" "I don't think I will," says he. "Don't you know?" "I reckon so," he says. "Don't you know it?" "No, sir, I never will vote for him again," says he. Then he told him to get up. Another fellow, named Lewis, was there—the same fellow I was going to tell you about; I can't think of his name. He ran off—they didn't get to whip him. When he started, some one said, "Shoot him;" and they fired, some said three shots, but I didn't hear but two pistols. They told me to get down. They said, "Who did you vote for? and be sure you don't tell me a damned lie." I said, "I voted the democratic ticket." He said, "Be sure you don't tell me a lie; take off your shirt." I did not tell him true; but I had to do that. They said, "Pull off your shirt." And he said, "Hit him five, Number One," and they hit me I don't know how many; and then Number Two hit. He said, "Do you think you will vote for Scott again? Be sure you don't tell me a lie." Another one says, "He said he didn't vote for Scott." Then he says, "I think I didn't give you enough, but just a caution." They asked another fellow to get down, and they asked how did he vote. He said, "I didn't vote at all—I was too young," and he said he come down to the meeting on Saturday." They said, "What were you there for?" and then one of them said, "What sort of a thing is that? What in hell is a meeting? Take off your shirt, and get down here." He got down, and took his shirt off, and they began to beat him—I don't remember how much; they didn't say. Number One beat him, and then this other one said, "Number Two." Number Two came around and gave him some. Spencer will be here to-morrow, and he can tell you what is his name. They said, "Damn you, we will learn you how to stay on your own side of the river." After he got up, they asked me if I thought that fellow that ran away would come back to my house that night.

By Mr. VAN TRUMP:

Question. Was the fellow that ran off the fellow that slept with you?

Answer. Yes, sir; that fellow that lived in Greenville. They asked me if I had a gun. I told them I had an old gun that I had bursted on Christmas, and made a sort of pistol of it. They said, "Where is it?" I told them, "In the house." They went in and I got it for them. They said, "Is it loaded?" "No," I said, "it is not loaded." "Let me see it," said he. Then he looked at it. I told him I had that shot-gun. He asked me if I had a pistol. I said, "No, I never had but one in my life." Says he, "Are you certain?" "Yes, sir," I says. He took the old gun down from over the door, and one told the other to take it out and mash it up to pieces. They looked at it awhile, and another said, "Lay it back up there." The other one, the first one I told you about, took it away and broke it all to pieces. Then again they asked when we were out there, who lived there? I told them the Widow Dodd. They asked me who lived with her. I told them her son John. They said, "What sort of a man is he?" I said, "John's a fine fellow." They said, "Who did he vote for?" I said, "I don't know; it was the democratic ticket." He says, "How do you know?" I says, "Only by what he said."

By the CHAIRMAN:

Question. What else did they say?

Answer. I can't remember. They said a good deal more; but I can't remember.

Question. Have you a family?

Answer. I had a family, but my wife died the last day of last year. I had a woman living with me, taking care of the children in my house.

Question. Had you done anything that you know of to cause these people to come and treat you in this way?

Answer. I didn't know that anybody had anything against me: I didn't believe they were going to do anything with me when they came. That young man was there and asked me how I voted; and I told him I voted the democratic ticket. I thought they were going to beat me up, and find out how I did vote.

Question. Have you lived there ever since they whipped you?

Answer. Yes, sir.

Question. Have you felt afraid they would come back?

Answer. I did feel afraid they would come back; but they have never pestered me since.

Question. Do you know the name of that other man who was sleeping in your house?

Answer. Alfred Lewis.

Question. Who was that man from Spencer's?

Answer. I don't know his name; that was the first time I ever saw him. He worked for a man named Cash, over on Pacolet.

Question. How were these men disguised?

Answer. They had on white cloth that came over them, with a belt around, and over the heads, banded around the eyes—with holes; they had ears like the things you put on horses; ears stuffed with cotton.

Question. Did you know any of them?

Answer. No, sir.

Question. How many were they?

Answer. I guess there were ten or fifteen; I never counted them.

By Mr. VAN TRUMP:

Question. Were they on foot or on horseback?

Answer. They came there on horses to the road, a young man said; but I never saw the horses. It was some two hundred yards down to my house in the woods, and they walked down there.

Question. Widow Dodd was your mistress?

Answer. Yes, sir.

Question. This was her old place that she owned before the war?

Answer. Yes, sir.

Question. Is that the same one you had lived on?

Answer. Yes, sir; not at the same place, but on the same plantation.

Question. What time of the night was this?

Answer. It was about 10 o'clock at night, the young man said that came up to the house. He had just got home. He said it was about 10 o'clock when they came to my house.

Question. You say they said a great deal more that you cannot recollect?

Answer. Yes, sir.

Question. Why do you recollect all that they said about politics, but not what they said about other things?

Answer. They talked with me so much I don't know what they did say—only what I remember.

Question. Why do you remember particularly about what they said about politics, and do not remember anything of the great deal else that they did say?

Answer. I can't recollect much; but there was so much devilment and cursing going on that I couldn't remember all they did say.

Question. Have you talked to any one about what they said on politics?

Answer. No, sir. They said when they left that night that if they ever heard of it, they would come back.

Question. Has no white republican told you that it was important that you should recollect all that was said about politics?

Answer. No, sir.

Question. Try to recollect whether some white republican has not told you it was important that you should recollect all that was said about politics.

Answer. No, sir.

Question. Has no white gentlemen talked with you about that subject?

Answer. No, sir; not since they have been there; several have asked me did they whip me; did they come there and whip me; and I have told them what they did.

Question. All that they asked you was, "Did they come there?"

Answer. Yes, sir. "Did they whip me; and what was it for;" but I didn't tell.

Question. Why did you not tell?

Answer. They said I must not.

Question. When these men have since asked you what they whipped you for, and you told them you did not know, did not they ask you what was said?

Answer. No, sir; I did not tell anything, because they said they would come back if I told.

Question. One of them had two shirts on, and that seemed to strike the Ku-Klux, and he said, "You are prepared?"

Answer. Yes, sir; he said, "What have you got two shirts on for?" He said, "I generally wear two shirts in winter time."

Question. Was it winter time?

Answer. No, sir, it was May; but it was not very warm weather. I had pulled off my undershirt; but he had not pulled off his.

SPARTANBURGH, SOUTH CAROLINA, July 7, 1871.

JULIUS CANTRELL sworn and examined.

By the CHAIRMAN :

Question. Where do you live ?*Answer.* Up here on Pacolet, about thirteen miles.*Question.* How old are you ?*Answer.* Twenty-two years old.*Question.* What do you do up there ?*Answer.* Farming this year.*Question.* On rented land ?*Answer.* Yes, sir.*Question.* On whose land ?*Answer.* On James Russell's.*Question.* How much land ?*Answer.* I don't know much it is—a one-horse crop.*Question.* How long have you lived there ?*Answer.* I just came there a week before last Christmas. I was raised up at Mountain Springs—Cherokee Springs.*Question.* Have you been visited by the Ku-Klux ?*Answer.* No, sir. Only one man came to my house one night, and told me my time had come, to get up behind him; he patted his mule. He said that my time had come to die. I said, "What have I done?" He said, "Get up, get up." But I broke and run, and laid out all night.*Question.* Do you know who this man was ?*Answer.* That was Nathan Horton.*Question.* Was he in disguise when he told you this ?*Answer.* No, sir.*Question.* Out on the highway ?*Answer.* Yes, sir.*Question.* When was that ?*Answer.* Along last spring ?*Question.* Do you connect him in any way with the Ku-Klux ?*Answer.* Yes, sir. He and his brother passed me in the morning just about daylight with a disguise on; and I knew the horses very well—me and my wife both did.*Question.* Did you hear of anybody being whipped that night ?*Answer.* Yes, sir; a good many. Uncle Samuel Gaffney was one.*Question.* Where does Nathan Horton live ?*Answer.* On 'Squire Wall's place—about two miles this side of me. John Horton was his brother.*Question.* Is that all you know of the Ku-Klux ?*Answer.* No, sir.*Question.* Have you been called as a witness here ?*Answer.* Yes, sir. A gentleman told me he and his brother were Ku-Klux.*Question.* Who was that ?*Answer.* It was James Russell—but Barnet Russell told me. He told me he helped to whip some black people; but, he says, "Don't you tell it. I have been with as high as three hundred of them."*Question.* Did Barnet Russell tell you so ?*Answer.* Yes, sir.*Question.* What else did he tell you ?*Answer.* He said if I told it he would kill me. There was a black man that owed his brother some work—his name was Jack Wingo; and he said, "God damn him, if it had not been for that whipping he never would have been here." They whipped him Saturday night, and he came down Monday morning to Mr. Russell's to work. "This was about a debt," he said; but the man declared that he never owed him a cent.*Question.* Were you brought here as a witness to prove what Barnet Russell said to you ?*Answer.* Yes, sir, in that case; that he had said that he was a sworn Ku-Klux, he and his brother.

By Mr. VAN TRUMP :

Question. Who said that ?*Answer.* Barnet Russell.

By the CHAIRMAN :

Question. Were you brought here to prove that ?*Answer.* Yes, sir.*Question.* Was it in a case on trial here against Russell ?

Answer. Yes, sir.

Question. Before whom?

Answer. Before these gentlemen down here. You see I came here, and they told me to come and put in all I knew.

Question. Before whom—was it before the committee, or whom?

Answer. Yes, sir; before this gentleman (Sergeant-at-Arms) and Mr. Poinier.

Question. Have you been a witness here before this?

Answer. No, sir.

Question. Was any effort made to deter you from testifying?

Answer. One gentleman said to me the other night, "I expect you will be killed if you go to reporting the Ku-Klux." He said, "If you report the Ku-Klux, you will be killed in three months." I said, "Why so?" He said, "Because the country is in an uproar, and if you swear against them they will kill you, or some man in the country passing along will."

Question. Who said that?

Answer. I don't wish to tell—he was a very good friend. He didn't speak to say he would do it.

Question. We want to know who that was.

Answer. Am I sworn to tell?

Question. Yes, sir; sworn to tell the truth.

Answer. Well, it was Mr. Hazard Cantrell—if I am sworn to tell the truth. But he was telling me as a friend; he didn't mean that he was concerned in it.

By Mr. STEVENSON:

Question. Is he a white man?

Answer. Yes, sir.

Question. Is he your old master?

Answer. No, sir; he is my old master's brother.

Question. Has any assault been made upon you in consequence of your being a witness here?

Answer. Yes, sir.

Question. Who made it?

Answer. I thought you meant that other thing.

Question. Has anybody made an assault upon you to prevent your remaining here as a witness, or to prevent your telling about the Ku-Klux?

Answer. Yes, sir.

Question. Who.

Answer. It was this same James Russell. We were talking, and I said, "I am out against the Ku-Kluxing." He said, "Don't you say that; if you do we will raise you."

By Mr. VAN TRUMP:

Question. When was that?

Answer. Two or three months ago.

By the CHAIRMAN:

Question. Was there a man by the name of Smith made an assault upon you?

Answer. No, sir.

Question. Did not Smith cut you last Monday night?

Answer. Yes, sir.

Question. What was it about?

Answer. I asked Mr. Casey for a match; and Smith says, "Go and buy your match and don't ask for it like a damned radical." I said, "I don't ask you any odds, sir, at all." And he just raised up the knife and struck me.

Question. Had that anything to do with your being here as a witness?

Answer. No, sir.

Question. It was a mere private quarrel?

Answer. Yes, sir.

By Mr. STEVENSON:

Question. When was that?

Answer. Last Monday.

Question. Was there a trial going on then about the Ku-Klux?

Answer. Yes, sir.

Question. Where?

Answer. Down here in the office before Mr. Poinier; and I had just been to the trial.

Question. Had you been there to testify?

Answer. Yes, sir.

Question. Did you go and tell there what you have said here to-day?

Answer. Yes, sir.

Question. Was this man Smith in there?

Answer. He was not right there, I do not think, but he was close by in another room; there was one room where I was testifying, and another room where they stood and could listen, and some of them said he stood there and listened and heard it, and that was why he had such a spite at me—but he didn't tell me that.

Question. What did he do?

Answer. He just cut me with a knife, and ran to get a pistol to shoot me.

Question. Was it a bowie knife?

Answer. No, sir; just a Barlow.

Question. A pocket knife?

Answer. Yes, sir.

By Mr. VAN TRUMP:

Question. What was this man's name?

Answer. Parley Smith.

Question. Where does he live?

Answer. I don't know.

Question. How do you know his name?

Answer. I had known him before at Cannon's camp-ground.

By Mr. STEVENSON:

Question. Why did not he shoot you?

Answer. Because I called them men; and there was a parcel of men and the marshal, Mr. Casey, took me over to jail.

Question. Was the marshal there?

Answer. Yes, sir.

Question. Were any soldiers about?

Answer. No, sir; I asked what they took me to jail for. He said, "To keep them from killing you—you can go out in a few minutes."

Question. Was there much excitement?

Answer. I don't know; I didn't look.

By Mr. VAN TRUMP:

Question. When did this occur?

Answer. Last Monday.

Question. Where?

Answer. Right here on Main street—right here opposite the Palmetto House.

By Mr. STEVENSON:

Question. Was that right by Mr. Poinier's office?

Answer. Just opposite—on the other side. This gentleman said there were more men with him that helped whip Isham McCrary.

Question. Were any persons whipped in the neighborhood that same night that this man came to you, and asked you to get up behind him?

Answer. No; but there was that morning when I saw them disguised. I am very certain about them, for I went up after this man I was working for, and I saw his saddle where he threw it over the fence when he took it off. I saw him go up and cross the river, and pull off his disguise, and turn the horses loose—they were Isaac Gilbert's horses.

By the CHAIRMAN:

Question. Was that man Nathan Horton?

Answer. Yes, sir. Isaac Gilbert came to me to find out what I knew about the horses, and Horton told me not to tell.

By Mr. STEVENSON:

Question. You say that Russell told you he belonged to the Ku-Klux?

Answer. Yes, sir; he said there were three hundred of them at once; and he had sworn, and they had their pistols, and shot six times; and he says, "If you tell this I will kill you, because they will kill me for telling."

Question. Sworn what?

Answer. He had sworn to defend stilling, and every Ku-Klux.

Question. What did he say they were to do?

Answer. To protect the stills, and keep the revenue officers from getting them, and protect all Ku-Klux bands, and such as that.

Question. To protect each other?

Answer. Yes, sir.

Question. Did he say anything else of what they were to do?

Answer. No, sir; I believe not.

Question. Where does he live?

Answer. Up here above Mr. McMullen's mill—about two miles on the other side. He has just lately married.

Question. How did he happen to tell you that?

Answer. Me and him was working together at the same time—I will tell you the truth—he had hired me to help him still, and we were at it.

Question. You have since reported that still, and it has been destroyed?

Answer. Yes, sir.

Question. What were they stilling?

Answer. Corn.

Question. Corn whisky?

Answer. Yes, sir.

Question. When was it he told you this?

Answer. That was along about two months ago, as nigh as I can tell you.

Question. Have you told all that he said about the Ku-Klux—what they did and what they were going to do?

Answer. Yes, sir; I have told all that he told me, as nigh as I can remember; there were several others in his crowd that he spoke of.

Question. Who else did he speak of?

Answer. Kinchen Gilbert, and Miles Mason, and Littleberry Gilbert?

Question. Where do they live?

Answer. They live right there, close in the neighborhood.

Question. Did these colored men that they whipped, in the neighborhood, have anything to do with distilling?

Answer. No, sir.

Question. What were they whipped for?

Answer. For voting radical tickets—for Mr. Scott.

Question. Did he tell you anything about radicals when he told you what the Ku-Klux were going to do?

Answer. Yes, sir; he said that they were going to kill us all if we didn't do so. A man can't study it all at once—I can't think of it.

Question. State what was said about that.

Answer. He said he would bet that a heap of niggers would wish they never had voted this radical ticket.

By Mr. VAN TRUMP:

Question. After Mr. Stevenson had inquired of you directly, three or four times, whether Russell had said that the Ku-Klux were doing anything else than protecting themselves and stills, you said that was all that they said.

Answer. You see I was sort of frightened—I never was in a court before in this way until last Monday—that is the reason.

Question. You did not look very much frightened when you came in.

Answer. I didn't look so, but I was.

Question. You have got over your fright now, have you?

Answer. Yes sir; sort o' so.

Question. Clear as a bell?

Answer. Yes, sir.

Question. You are not a bit frightened now?

Answer. No, sir.

Question. What has taken the fright off of you?

Answer. Getting to talk with the people.

Question. What people, Junius? You were not afraid we were Ku-Klux?

Answer. No, sir; but black people is sort of under—we have no education, and it always frightens us.

Question. You say you were frightened. After Mr. Stevenson had put the question to you three or four times, as to what else they would do, you said nothing but protect themselves and the stills, but when Mr. Stevenson got around, and asked if they said something about radicals, you then recollected all about it?

Mr. STEVENSON. The witness first spoke of radicals, saying they whipped the negroes because they were radicals.

By Mr. VAN TRUMP:

Question. You say you were so frightened after Mr. Stevenson had put the question two, three, or four times, "What else they would do," you said, "Nothing but protect themselves and the stills." Yet when Mr. Stevenson came around, and asked if they said something about radicals, you recollected all about it?

Answer. Yes, sir; it sort o' frightened me.

Question. What night was it that Nathan Horton came to you?

Answer. I don't recollect the night.

Question. What night of the week was it?

Answer. I cannot recollect.

Question. What sort of a night was it?

Answer. It was a sort o' moonshiny, dim night.

Question. What time of the year was it?

Answer. It was along last spring.

Question. What month was it?

Answer. I don't know.

Question. He came to you without any disguise on?

Answer. Yes, sir.

Question. He ordered you to get up behind him?

Answer. Yes, sir; and he patted the horse on the rump.

Question. Were you asleep when he got there?

Answer. No, sir; I was sitting up.

Question. Did he ride up to your house?

Answer. Yes, sir.

Question. Did he get off of his horse?

Answer. Yes, sir; he got off of his horse, and I slammed the door.

Question. What did you do?

Answer. I ran.

Question. Where?

Answer. To the woods—in an old field, and laid out there all night.

Question. Was he on the horse when he patted him?

Answer. Yes, sir; on the horse.

Question. Then after he came to the door you got out, and he got on again, did he?

Answer. I ran.

Question. How did he get on the horse after he got off at the door?

Answer. Right on the steps.

Question. Was he on the horse when he patted him?

Answer. On the horse.

Question. Had he been off before that?

Answer. No, sir; he got off afterward, and I slammed the door then and ran through the other door.

Question. Did he run after you?

Answer. No, sir.

Question. You say Nathan Horton is a Ku-Klux?

Answer. Yes, sir.

Question. Where does he live?

Answer. Up on Squire Wall's land.

Question. What is his business?

Answer. Farming.

Question. Is he a renter or owner?

Answer. A renter.

Question. How old a man is he?

Answer. I do not know exactly; but I will tell you as nigh as I can. I think he is about twenty-two.

Question. Is he married or single?

Answer. Married.

Question. How many children has he?

Answer. I don't know.

Question. How near did you live to him?

Answer. About a mile off.

Question. How long had you known him?

Answer. Three or four years—but he has been lately married.

Question. Did he tell you that night that he was a Ku-Klux?

Answer. No, sir.

Question. How do you know he was a Ku-Klux?

Answer. I saw him one morning—me and my wife both saw him passing by my house by daylight; he and his brother.

Question. You said a while ago before daylight.

Answer. I say about daylight; did I say before daylight?

Question. Yes.

Answer. It was about daylight.

Question. Could you see right well?

Answer. Yes, sir.

Question. Was it full daylight, or only breaking day?

Answer. It was just about daylight—and you could see men two hundred yards off.

Question. Were you two hundred yards off?

Answer. No, sir; when I first saw them they were about two hundred yards off; but they had to come close along my house, within about twenty steps.

Question. Why did you say you saw them two hundred yards off; why did not you mention the closest distance at which you had seen them?

Answer. I can't tell.

Question. You saw them better when close by than when two hundred yards off?

Answer. Yes, sir.

Question. Then why did you not mention the closest distance?

Answer. You asked for the whole truth, and I thought I would tell you where I saw them first, and then where I saw them last.

Question. I did not ask for that. What is his brother's name?

Answer. John.

Question. Where does he live?

Answer. On the same farm.

Question. Do he and Nathan live together in the same house?

Answer. No, sir.

Question. Is John married?

Answer. Yes, sir.

Question. Is he older or younger than Nathan?

Answer. Older.

Question. Describe their disguise that morning.

Answer. They had on a black face from right here, [illustrating,] and with horns on; and from the neck to the waist it was white shirting.

Question. Were they both dressed alike?

Answer. Yes, sir.

Question. Were they or not about the same size?

Answer. Not in height; the oldest one, John, is right smart taller than the other.

Question. Do you say that of these two men one was taller than the other?

Answer. Yes, sir; these Hortons.

Question. I asked you the size of the Hortons without reference to these disguised men. You say one was taller than the other?

Answer. Yes, sir.

Question. Now you say that one of those two men you saw disguised was taller than the other?

Answer. Yes, sir.

Question. How much?

Answer. Right smart.

Question. So that it showed on horseback?

Answer. Yes, sir.

Question. How fast were they going?

Answer. They were trotting.

Question. Who is Barnet Russell? Is he any relation to this one James, on whose farm you live?

Answer. Yes, sir; his brother.

Question. Where does he live?

Answer. At Edwin's Cooley's—his father-in-law.

Question. How far from where you live?

Answer. About three miles; as near as I can tell you.

Question. Is he a married man?

Answer. Yes, sir; lately married.

Question. Is he older or younger than James?

Answer. Younger.

Question. Have you seen him often; he living three miles from you?

Answer. He was living with his brother a while when I first came up here, but lately he has been married, and has gone to his father-in-law's.

Question. When you first went there Barnet was living with James?

Answer. Yes, sir.

Question. Is that in the mountains?

Answer. No, sir; it is only about twelve or thirteen miles from here.

Question. Did you say Barnet Russell was distilling?

Answer. Yes, sir.

Question. Where?

Answer. Right in his brother James's still.

Question. You helped him distill?

Answer. Yes, sir.

Question. How long?

Answer. I reckon they went on there ever since Christmas, until they caught them here. They had some mashies and some beer in there when they got it, and some baccing.

Question. How long since you were helping Barnet to distill?

Answer. It was about a month since I left distilling; but I have helped Barnet still.

Question. You helped him before?

Answer. Yes, sir; along after Christmas.

Question. When did you first help him distill?

Answer. Along after Christmas.

Question. When did he tell you he belonged to the Ku-Klux?

Answer. About three months ago, as high as I can tell you; but I kept no account; I cannot read or write.

Question. That was some time in April, then?

Answer. I expect it was.

Question. Where were you at work?

Answer. Me and him were stilling at that time.

Question. How came he to make such a remarkable admission?

Answer. You see, he hurried me and old Uncle Harry Lipscomb. He would say he was going to frolics. I said I was making great 'miration [admiration] of it. I said, "They have whipped Uncle Isham McCrary," and he said, "Yes; I helped to whip him myself, and give him hell."

Question. Was Barnet Russell sober at that time?

Answer. Yes, sir; he hardly ever gets drunk.

Question. You were telling about McCrary getting Ku-Kluxed?

Answer. Yes, sir.

Question. Was it the night before?

Answer. Yes, sir.

Question. And he burst right out and said what you say he said to you?

Answer. Yes, sir.

Question. To you, a black man?

Answer. Yes, sir.

Question. And in his employment?

Answer. Yes, sir; it was me.

Question. Was it understood at that time that the Ku-Klux were protecting these distilleries against the revenue officers of the Government?

Answer. Yes, sir; along at that time, and several times near that. We were working together and we would get to talking, and he would tell me of this along at times; and some time since he has told me.

Question. When did he tell you that the Klan he belonged to mustered three hundred strong?

Answer. He did not say mustered; he said he had been with as high as three hundred when he was sworn—and that was about three months ago.

Question. Was that the time he talked about Ku-Kluxing old Uncle McCrary?

Answer. No, sir; that is since.

Question. You have had several talks with him about it?

Answer. O, yes, sir.

Question. How many?

Answer. Five or six times.

Question. When did it commence?

Answer. Along after Christmas—when they first commenced riding, when we commenced stilling.

Question. He said he had been with as high as three hundred?

Answer. Yes, sir.

Question. And then he said he would kill you if you ever told?

Answer. Yes, sir.

Question. Right off?

Answer. No, not right off; it might have been right off or long afterwards. He said, "If you ever tell this that I have explained I will kill you, because they will kill me."

Question. Did not you think he was fooling with very dangerous tools?

Answer. No, sir; I became very humble, and said, "No, sir, I will never tell."

Question. Did it surprise you that he talked about it in that way?

Answer. Yes, sir; I can prove it to you down here. I went to Uncle Harry Lipscomb's right off.

Question. You had forgotten that you had promised not to tell?

Answer. No, sir; I didn't forget it.

Question. Is Uncle Harry Lipscomb another colored man?

Answer. Yes, sir.

Question. Are you afraid they will kill you for telling it here to us?

Answer. Yes, sir; I am afraid to go back home.

Question. How did you happen to come here?

Answer. These gentlemen told me I had better tell.

Question. What gentlemen?

Answer. Here, in town.

Question. Who are they?

Answer. Uncle Harry.

Question. Who is Uncle Harry?

Answer. Uncle Harry Lipscomb; that man that I can prove it by. He said I had better tell it, because the country was going at such a terrible rate that we cannot live in it anyhow.

Question. You say you can prove it by him?

Answer. I can prove I told him.

Question. What other colored men there told you you must come here and testify?

Answer. Isham McCrary told me I had better come here and testify.

Question. That is the one that was Ku-Kluxed?

Answer. Yes, sir; the one that has been whipped.

Question. How many white men ever told you the same thing?

Answer. I do not know as any have.

Question. Think about it now; who have told you that you must come here and tell that Barnett Russell told you this remarkable fact?

Answer. No other white gentleman told me that.

Question. No white gentleman has told you to come here and testify to that fact?

Answer. No, sir.

Question. About his being a Ku-Klux?

Answer. No, sir; none at all.

Question. You say one gentleman in town said to you that if you reported against the Ku-Klux you would be killed?

Answer. Yes, sir; in about three months.

Question. Who was that?

Answer. Hazard Cantrell. He was a very good friend; he didn't say he would do it, but they would do it.

Question. What is his business here?

Answer. He lives here in town. I think he has a blacksmith-shop and wood-shop.

Question. Is he a white man or a black man?

Answer. A white man—my old master's brother.

Question. Is your name Cantrell?

Answer. Yes, sir.

Question. How did you and him happen to get to talk about it?

Answer. There was a gentleman came down here that attends to the business of James Russell, "Tal Lewis," from the mountains, and he says, "Julius when are you going up here? some of your corn is getting mighty foul, and your cotton, for want of the plow and hoe." I says, "I am bound to tend here." He says, "About what?" I was almost afraid to tell him. I was walking out on the street with several—right smart—and this gentleman came up, and at the same time he was telling me this he said if I did know anything about that I had better not state it, or I would be killed in three months.

Question. Have not some persons, within the last two or three days, said to you that you must testify to certain things here; and if you did not you would be put in the penitentiary?

Answer. No, sir; not that I know of; if they did it I have forgotten it.

Question. Would you be likely to forget such a thing as that?

Answer. O, yes; a man being off from his wife, and having no provision, and such as that, it would sort o' frighten him, and make him forget things when he couldn't read.

Question. You have thought of a good many things here to-day?

Answer. Yes, sir.

Question. You have not been frightened out of all things?

Answer. No, sir.

Question. But you might be frightened out of knowing that somebody had come to you within a day or two, and said you would have to testify to certain things, or you would be put in the penitentiary?

Answer. No, sir.

Question. What did you tell the Reverend Thomas Foster? Have you had a talk with him?

Answer. Yes, sir. I talked to him, but the reason I talked this talk to him was, I was afraid they would kill me. That was down here at the court-house. I told him I was afraid if I testified to some certain things I would be sent to the penitentiary; but I did it for fear some of them would kill me in the street, which my father-in-law talked to me of.

Question. What was the conversation between you and the Reverend Mr. Foster?

Answer. I came down there and I says, "Mr. Foster," and he says, "Julius what is the matter;" and I says, "They are about to put me in jail." I just said that to keep them from killing me, or something—men I didn't know. I says, "They are about to take me and Mr. Russell up now and accuse us of being Ku-Klux;" I just said that, I put that in. I knew they were after him; I had done told that his brother had said so. That is what I did it for.

Question. Is that all?

Answer. Well, he says to me — [pausing.]

Question. Go on, go on.

Answer. He just laughed and says, "They are not going to hurt you; they just want to get you to tell something on the rest that you know."

Question. Is that all that took place?

Answer. Yes, sir; so far as I know.

Question. I want you to recollect all that took place between you and Mr. Foster there?

Answer. I asked several of them what I should do. They would say these same words and laugh.

Question. What words?

Answer. "Look here Julius, ain't you going home?" I was afraid they were trying to get me out to kill me. "No," I says; "I am not going," because, you know, I wouldn't tell them. I was afraid they would kill me; but I wanted to make out like they were accusing me of being a Ku-Klux.

By the CHAIRMAN:

Question. What was going on Monday?

Answer. It was sales-day.

Question. What were you here on Monday for?

Answer. Me and Mr. Russell came in to get some meat. He owed me some money, and I wanted some bacon.

Question. Were you to be a witness?

Answer. Yes, sir; they had served a paper for me to come here at 12 o'clock on Monday.

By Mr. STEVENSON:

Question. Who is the Reverend Dr. Foster?

Answer. This was Tom Foster.

Question. Do you mean Colonel Foster?

Answer. He was never a colonel, that I knew of.

Question. Is he Colonel Foster's father?

Answer. No, sir; this is a brother to William Foster that lives in the country.

Question. Is he a preacher?

Answer. No, sir; no preacher at all.

Question. Were you afraid of the Reverend Thomas Foster?

Answer. You know a body does not know who to be afraid of in this country. To tell you the truth, it is powerful dangerous. It would not do for me to tell all these little matters, because it has been talked about in hearsay.

Question. You do not think he was a Ku-Klux.

Answer. I do not know what he was. I knew he was a democratic man, and I didn't know for certain what he was.

SPARTANBURGH, SOUTH CAROLINA, July 7, 1871.

DANIEL LIPSCOMB (colored) sworn and examined:

By the CHAIRMAN:

Question. How old are you?

Answer. Seventy-five years of age.

Question. Where do you live?

Answer. I am staying on Mr. Tolison's place, about four miles from here; before that I was down on Limestone, about three miles from Limestone, on Major Lee Linder's place.

Question. Tell us whether the Ku-Klux called on you at any time?

Answer. Yes, sir.

Question. When?

Answer. On Sunday night before the election.

Question. What did they do and say?

Answer. They came to my house and hailed, "Who lives here?" I said, "Daniel Lipscomb." He said, "Who?" I said, louder, "Daniel Lipscomb." He says, "Don't talk so short—where is Clem?" "I expect he is at home." That is the man that called at my house. He said, "How far is it down there?" I says, "About half a mile."

Question. Clem who, was this?

Answer. Clem Bowden. Says he, "I'll leave two to guard him;" then says he, "No, I'll leave about eight men to guard him"—that is, these men were to guard me. They said that if I come out of the door that night I would be a dead nigger, and I knew I was like a poor cramped dog, and could do no good, and I stuck right at the side of my bed. In a few minutes I heard them at Clem's house; I heard the dogs barking

and then shooting, and they came back to my house with Clem. They said, "Have you a rope?" I said, "No, sir; only a steer rope to plow oxen with." They said, "You come out here." I stepped out of the door, when they took a rope and threw it over my head, and Mr. McArthur —

Question. What McArthur?

Answer. He was the first one that came to my house, Perry McArthur. He lived about a quarter of a mile from 'Squire Camp's. I came out then and says, "I have done nothing to be whipped for." Says he, "You are a good old rattler." Says I, "I'll not deny my principles, I'll not deny my principles." Then Perry says, "I'll make you deny it." Then they began to whip me. I says, "Gentlemen, I have done nothing for you to whip and beat me about."

Question. What do you understand by the word *rattler*?

Answer. That's what they call us. I'm a republican man, but I can't call words plain like the rest of them. You know it's what they call the republicans. I said I was going to vote for the rattlers. He said I was a good old rattler. He says, "You want to vote for Governor Scott." Says I, "I'll not deny my principles," and they took me out and gave me five hundred lashes. They took me about a yard from my door, and pulled off my clothes and whipped me around. They whipped me all over the head and all, three or four laying on at once, and he says, "Halt," and I sat like this; and one at a time they got up and said "Bullo! Bullo! Bullo!" Then he stepped back after he struck ten or fifteen times. They whipped me all around in that way. There is a place on my shoulder that big, and as long as my finger. It is like a stick. They never moved me from my door. Then one said, "Turn around and go back into your house." One of them kicked me right here in the stomach. There is a large boil from it now. As I turned he kicked me right behind, and shot me into the house, and then they left me and went off, and I staid there. I stepped into the house and couldn't help myself, and I sat down. They took Minerva and her husband, Clem Bowden, off, I reckon, half a mile, but I never went from my house.

Question. How many of these men were there at your house?

Answer. As well as I could look around at them I thought there was thirty-five or forty.

Question. How did they come?

Answer. By horses; hitched below my fence. They just tore up the land like drove horses.

Question. What did they say they whipped you for?

Answer. They only said I wanted to vote for Governor Scott, and we shouldn't go to the election.

Question. How long was this before the election?

Answer. The Sunday night before the election. We were going to hold it at Mr. Camp's. They got afraid then, and they moved to Cowpens, at the old battle-ground. On Monday night I staid at Mr. Camp's, and Tuesday, about 8 o'clock in the night, I started here. I walked all night until about two hours of day, when I laid over; then I came to the old camp-ground, and laid in the shanty, and by a half hour by the sun, on Wednesday, I had my ticket in the box here. I came here on foot.

Question. Was the township in which you were then the same one that 'Squire Champion and Clem Bowden were whipped in?

Answer. Yes, sir.

Question. What was the reason the election was not held there?

Answer. They would not let them.

Question. Was this night on which you were whipped the same night on which they were whipped?

Answer. Yes, sir; they whipped me first.

Question. Who said you should not go to the election?

Answer. Mr. McArthur.

Question. Did you know him?

Answer. I knew him just like I'm talking to you, and I knew that Petty boy, because I had been electioneering for him to court my young mistress, and talked for him; I did so, but she said, "Uncle, I wouldn't notice him any more than I would a cat," but I did all that I could. Then he beat me that way for nothing, and my fingers on this arm will never get right in the world; my fingers have no feeling.

Question. Did this have an effect on that election?

Answer. They did it to keep the black people from the election.

Question. Did it keep any of them away?

Answer. Oh, Lord Almighty, yes; a great many went down; a good many would have gone from Limestone and Shaker Ford but for that. That is all in that country. Before that, they were going to vote, and they were going to knock it out, and they did so. They were going to have a battle if the people came out to vote.

Question. Are the colored people afraid of these people that come out at night?

Answer. Yes, sir; they are lying out at night.

Question. What were you doing?

Answer. You don't know what sort of a crop I had there?

Question. No, I do not.

Answer. Well, I had a bully crop.

Question. How do you rent your land?

Answer. On shares. He gave me a place because I had been a favorite servant. He gave me a place to stay my lifetime. He is out here now.

By Mr. VAN TRUMP:

Question. Who is he?

Answer. Major Lee Linder.

Question. Is he a democrat?

Answer. Yes, sir.

By the CHAIRMAN:

Question. Are you afraid to go back?

Answer. I wouldn't go back for this house full of dollars, for they would kill me right off. 'Squire Camp's family, a white man, had to come here with his family the same night I did. The time they were whipped, McArthur gave orders the same as on the old muster-ground field.

By Mr. VAN TRUMP:

Question. Were you there?

Answer. I was about half a mile off.

Question. You heard him?

Answer. I heard him just as plain as I hear a thing to-day.

Question. Did you see them?

Answer. I tell you that people are here who heard him farther. I knew his voice just as well as could be. I will not tell a lie for no man, for I have to die, and I wouldn't declare a lie to save my life.

Question. Was it not more than half a mile?

Answer. Not from where I was, but where the rest heard it—Quinn Camp and Moses Lipseomb's house—it was more than half a mile from there. That was a black man on his place.

Question. What time of the night was that?

Answer. Between 10 and 11 o'clock, I allow. When I laid down I had no more dream of their interrupting than I have of jumping out of that window now.

Question. Was it you that made oath against McArthur?

Answer. Yes, sir; I told Mr. Poinier what he did to me.

Question. Was he arrested for it?

Answer. Yes, sir. I was so crippled up that I had to go this way, [stooping low.] I couldn't bear my clothes around me.

By Mr. STEVENSON:

Question. Are you living with your old master?

Answer. Yes, sir, on the place Major Lee Linder gave me to live on.

Question. How long did you belong to the family?

Answer. Twenty years, I reckon. He married Mr. Bebb Lipscomb's daughter. That was my old master. He married his daughter Mary. I was given to her. I was living with her at the time of the surrender, and had been for twenty years.

Question. Were you there all the time of the war?

Answer. I never moved from there all the war. I am going to tell the truth before God and man. I staid there and pulled away and made him the bulliest crop he ever had on his place. There never was a charge against me at all. I never made any trouble on the face of the earth. Everybody could say, "There is Daniel. I never saw the match in my life. He just goes ahead the same as ever."

Question. What do you suppose they whipped you for?

Answer. That's all I can tell you. They said it was because I was to vote for Governor Scott. They told me that long ago, that if ever I voted that way I would be hung as high as a cloud. I told them I reckoned not, and I reckon I'll not interrupt anybody long. When the time of my master was in the war I got his money and took care of it for him. I have had as high as a thousand dollars for him at a time, and got it all safely to him. The first batch was a thousand dollars, and the next was seven hundred and seventy dollars, and I fetched it all to him. I never made a step in my tracks to get away the whole time of the war. I attended to my business.

Question. Was your master in the army?

Answer. No, sir; he had the consumption, and had a little forge to make iron.

Question. And was running that?

Answer. Yes, sir; I hauled coal for him; two loads a day. I was just as particular in getting my work there every day as I could be.

Question. Have these people been riding about in that neighborhood since?

Answer. Oh Lord! Yes. O gracious Almighty! The people have been lying out

every night. When I had been lying out they said they had been lying out for weeks in the hail and rain.

Question. Do you know the colored people around there?

Answer. Yes, sir; I know a heap of them—pretty smart. There is a heap of them in here now.

Question. How do they feel now?

Answer. They are afraid to stay in their houses of a night.

Question. What are you going to do about it?

Answer. Lord Almighty! Master, what can I hope? I am at work up on Mr. Tolison's place, and if I hear a stick crack I am watching to see them come and take me.

Question. Are you worse scared than the rest?

Answer. They're all scared, but I have been stung once, and a burnt child fears the fire.

Question. Have you ever told the white people your troubles, and asked them to protect you?

Answer. No, sir.

Question. Why not?

Answer. They said they were going to do so; but generally the greatest part have been almost as afraid as me.

Question. But you are speaking of republicans?

Answer. Yes, sir.

Question. But I speak of democrats—your people that you used to know in old times; why don't you go to them, and get them to keep the Ku-Klux off?

Answer. It's not worth while to go to them.

Question. Why?

Answer. They are democrats themselves, and I know very well they wouldn't go against the party. I have never asked them; I have never been to them to talk with them about it; I thought it was a needless case, that's the truth. I went down there about three months ago to cut a lot of corn. I heard a noise, and they got up and all run out; and I run through the lot, and sat down and said to myself, if you do come to-night you will not come into the cow-lot. There was a cow there, and I drove her up, and got some bundles of fodder and laid there all night; and I haven't been there since.

Question. Did you lose your crop?

Answer. The greatest part of it; potatoes, and cabbages, and molasses. I would have made about thirty gallons of molasses, but I never got any of it.

By Mr. VAN TRUMP:

Question. You say when they got hold of you, Petty said he would make you deny it?

Answer. Yes, sir.

Question. Who is he?

Answer. Clum Petty.

Question. You mean Columbus Petty?

Answer. Yes, sir; old George Petty's son.

Question. Where does he live?

Answer. He is a close neighbor to the Cowpens furnace.

Question. How did you know it was him?

Answer. I had been with him; I had raised him up from a child.

Question. Was he disguised?

Answer. No, sir.

Question. No mask on?

Answer. No, sir.

Question. Had any of those men?

Answer. Yes, sir.

Question. How about Clum?

Answer. He had been up to old Major Lee Linder's that night.

Question. Did he come with these men?

Answer. Yes, sir.

Question. Came right before you, that had known him every day, without anything on him to hide him?

Answer. Yes, sir; and he gave me powerful licks; he beat my arm so that this arm was as big as two arms. I said I wouldn't deny my principles. He said he would make me deny them, and then he whipped me.

Question. What sort of clothes had he on?

Answer. A sort of mixed clothes.

Question. Such as he wore in the day-time?

Answer. Yes, sir.

Question. Nothing on his face?

Answer. No, sir; nor robe over him.

Question. And yet he was one of the active men there?

Answer. Yes, sir; he did put it on me.

Question. Did you tell anybody after that that he was one?

Answer. Yes, sir; I think I told Mr. Poinier and Mr. Camp, both.

Question. Mr. Poinier, the United States commissioner?

Answer. They had him up, and I think they had him up at Mr. Camp's; he and his daddy came there to swear that he wasn't out that night; there was nothing tried before Mr. Poinier and Mr. Fleming, but it was at Mr. Camp's, and they had the trial there, I thought.

Question. Do you not know they had a trial?

Answer. Yes, sir.

Question. Were you a witness?

Answer. Yes, sir.

Question. Did you there swear that Petty was the man who did it?

Answer. I swore to Mr. McArthur that I knew, and Mr. Camp's boy.

Question. This same trial justice's son?

Answer. No, sir; Sol Camp's son.

Question. Did you swear against Petty there?

Answer. Yes, sir; I think I did.

Question. Don't you know?

Answer. I think I swore against him. He had witnesses there to prove that it was not him; so did Mr. McArthur have witnesses.

Question. What did Mr. Poinier do?

Answer. They had to go to get security for appearance here.

Question. Where is Petty now?

Answer. I don't know.

Question. Has he run off?

Answer. I don't know.

Question. Has the trial ever been had?

Answer. No, sir; I went to Columbia.

Question. What did you do there?

Answer. The men said I would be justified to the governor.

Question. Who went to the governor?

Answer. Me and Mr. Poinier and all went together.

Question. What did the governor do?

Answer. He didn't do nothing for me; only I should have attaction (protection) for what they persecuted me so.

Question. Have you never been a witness since?

Answer. No, sir; I have never been called upon. I was called upon to go to Columbia, but was afraid to go, unless somebody went with me; the men got my papers to go, but I was afraid to start without somebody to go with me.

Question. Did you say that Mr. Poinier, before you went down to the governor at Columbia, made this young man Petty give bail?

Answer. He gave security for them to come to town.

Question. Is that the last you knew of it?

Answer. Yes, sir.

Question. You have never been called upon to swear since?

Answer. No, sir.

Question. Was not Petty discharged there, clear?

Answer. No, sir; not that I know of; he was called here, cited here; and then I don't know what more was done; I went to Columbia.

Question. How far from Cowpens do you live?

Answer. Ever since I came from Columbia, I have staid in town here.

Question. You do not know where Petty is?

Answer. No, sir; they said down there that if they saw me they would kill me.

Question. Who said so?

Answer. Mr. Moore and a company there. Mr. Moore said he would shoot me.

Question. What became of that case?

Answer. The time I went down there to get my corn Ellison Clary's son John says, "Is uncle Daniel here?" They said "Yes." He said, "He had better get away from here." I laid out that night, Saturday night, and Sunday I went and staid where I could see them come down from Clary's house. I saw John Clary, and Sol. Camp's son, and Mr. Gaffney's son; then I backed out; they were looking all about through the old fields for me, but I lay on the side of the road. They charged back and forward to find me, but I laid out in the woods in the corner of the fence.

Question. Was the place where you were whipped in the same township where Champion lived?

Answer. Yes, sir.

Question. You say they would not let them hold the election there?

Answer. Yes, sir.

Question. Who did that?

Answer. They said so; that was the report; because we all came here to town; we couldn't vote there with no satisfaction, and the rest of the people that didn't vote there went to the Battle Ground.

Question. You said that they wouldn't let the election be held there; whom do you mean by "they?"

Answer. The democratic party down there.

Question. That is the way you understand it?

Answer. Yes, sir.

Question. Don't you know that it was the republican managers of that election that stopped the election there?

Answer. I don't know about that.

Question. Then how do you know that the democrats did it?

Answer. They said we shouldn't have the election there; that's the honest truth.

Question. Who said that?

Answer. That was the report down there; I know I had to come away, and Mr. Quinn Camp and all the people came away. Seven or eight of us black people came here to Spartanburgh.

Question. That is all you know about it?

Answer. Yes, sir.

Question. When you say "they," the democrats, wouldn't let the election be held there, you do not know anything about it?

Answer. Yes, sir; but they said we shouldn't vote.

Question. Do you not know as a fact that it was the republican managers of that township that stopped the election there?

Answer. No, sir.

Question. Did you never hear so?

Answer. No, sir.

Question. Is not that a strong democratic township?

Answer. Yes, sir.

Question. Would not the democrats lose more than the republicans by not having an election there?

Answer. They said we ran too much to Scott, and they intended to break it up.

Question. You swear that?

Answer. That was the report; the man said down there when they whipped me, did I want to vote for Scott, and I said, "Yes." I know that much he said to me.

Question. You are not answering my question. Is not that a democratic township?

Answer. Yes, sir.

Question. Would not the democrats lose more by not having the election there than the republicans? You need not go back to what that man said.

Answer. I know they didn't have the election there; I know we had to come off here to vote; I came here to vote, and all the rest of the men came to vote; some went below to vote; they couldn't get to Squire Camp's to vote.

Question. But when you say the democrats prevented the election, you do not know about that?

Answer. No, sir; I just want to tell the truth about that. I am not going to lie, but if you will let me go out now I would like to go out, for since they kicked me in the belly here so, I cannot hold my water like anybody else.

[The witness retires for a few moments and returns.]

Question. You said a while ago that you were too much hurt to be present when McArthur was double-quickened that night?

Answer. Yes, sir.

Question. You were not there?

Answer. I was in the house there; I was not able to be out there. I was cut so, I had to go and sit down and loose my clothes all around me. I am not going to tell a lie about it.

Question. You were not at Camp's the night that McArthur was double-quickened?

Answer. I was there, but I was in the kitchen house, and I didn't see it.

Question. Do you not recollect that after that there was a great dispute between Mr. Poinier and Mr. Fleming as to who made the order for the double-quickening?

Answer. No, sir.

Question. Do you see the newspapers?

Answer. No, sir.

Question. You cannot read?

Answer. No, sir.

Question. Did you hear it?

Answer. No, sir.

Question. Do you recollect making an affidavit as to that double-quickening, stating who did it, and how it was done?

Answer. No, sir; to no man. I didn't make no reference to no man about the double-quickening.

Question. You swear to that?

Answer. I know I never did, because I never saw it.

Question. You never came to town and made an affidavit as to the double-quicking of McArthur, or whether Poinier or Fleming did it?

Answer. I have been asked about that, and I told them I didn't know who did it, for I didn't see it done.

Question. Do you not recollect making an affidavit about it?

Answer. No, sir.

Question. Do you know what an affidavit is?

Answer. No, sir; what is it?

Question. I have been asking you whether you made an affidavit. You said you did not. Do you know what an affidavit is?

Answer. Give me the sense of it.

Question. I ask if you know the sense of it? I want to deal fairly with you.

Answer. I want you to deal fairly with me.

Question. You say you made no affidavit?

Answer. No, sir; not about the double-quicking, but I did about the whipping of me; that was before the trial.

Question. You know what an affidavit is?

Answer. Is it to go and talk about what is done?

Question. No. Did you go and sign your mark to a piece of paper at the clerk's office in this town, about the double-quicking, and the circumstances of it, in reference to the dispute between Fleming and Poinier? Think of it.

Answer. I believe, since you come to talk, that Mr. Fleming did ask me if I knew who, or if it was him, or who did it, and I told him I didn't know who did it.

Question. Then what took place?

Answer. I didn't say anything about it; I didn't say I saw any man double-quick him.

Question. Did you not make an affidavit about that thing? Did you not sign a piece of paper and swear to it before the clerk of the court in this town, as you swore to-day?

Answer. Well, Mr. Fleming was talking to me about whether I knew any thing about it; I told him "No;" that I didn't see anybody double-quick him.

Question. Where did Mr. Fleming see you?

Answer. Down here at his office.

Question. What was done when you told him you did not know anything about it?

Answer. "Well," says he, "there was an argument about it;" I think he said that much, but I never went no further.

Question. You never went to the clerk's office, where somebody wrote a paper for you, to which you made your mark, and which you then swore to? You do not recollect that?

Answer. No, sir; I don't recollect that if I did it.

Question. Now let me read it to you, and see if you recollect it.

"STATE OF SOUTH CAROLINA, *Spartanburgh County*:

"Personally came Daniel Lipscomb, and made oath in due form of law, that he was present at P. Q. Camp's on the night that O. P. McArthur was double-quickened. Deponent further testifies that on this night, (October 17, 1870,) Mr. McArthur was arrested by S. T. Poinier, and that Trial Justice Fleming did not either turn Mr. McArthur over to the colored guard, nor exercise any control, whatever, on this night. Deponent further testifies that on the day following the one on which McArthur was double-quickened, Trial Justice Fleming issued a State warrant against O. P. McArthur and others, and that after the prisoners were arrested on this warrant, Mr. Fleming took charge of the prisoners and would not allow any one, white or black, to reply to the abusive language of the prisoners, saying that as they were now his prisoners, it was his duty to protect them even from insult, and that he would do so.

his
"DANIEL + LIPSCOMB.
mark.

"Sworn to and subscribed before me this November 30th, 1870.

"F. M. TRIMMIER, *Clerk.*"

Do you recollect that?

Answer. No, sir.

Question. Do you not recollect that Mr. Fleming got you to sign a paper?

Answer. Well, look here, I must study on the right of the case: Mr. Fleming did one day call me up there and he was looking at the paper and did write, but I don't recollect of swearing to it.

Question. You have not been sworn very often in your life as a witness?

Answer. No, sir.

Question. How often have you been a witness? Half a dozen times in your life?

Answer. Twice, I believe.

Question. If you had been called upon to put your mark to a paper, and the officer told you to hold up your hand and swear, or kiss the book and swear, would you not recollect it?

Answer. Yes, sir.

Question. Why do you not recollect this?

Answer. I am going to tell the truth; I am studying into the case. I think Mr. Fleming did one day call me down to his office and write on a piece of paper and for me to witness it; that is all I know about it.

Question. You thought then you were witnessing a paper and not swearing to it?

Answer. Yes, sir.

Question. Did you not hold up your hand?

Answer. I don't think I did.

Question. Did you not kiss the book?

Answer. No, sir; I didn't kiss no book.

Question. Do you recollect that Mr. Fleming or somebody that got up this paper made you swear that McArthur was arrested by Poinier and not Fleming?

Answer. I don't think that, sir.

Question. Did you ever know who arrested McArthur?

Answer. I think Mr. Poinier did it. They started to do it; I didn't go with them, because, as I told you, I couldn't hold up.

Question. Do you know anything about the fact that on the day after the one on which McArthur was double-quickened, a State warrant was issued by Mr. Fleming against McArthur; did you ever know anything about that?

Answer. No, sir; I don't know anything about it.

Question. Did you ever swear to it?

Answer. I swore to it down here.

Question. But on this paper that you were called to swear to as a witness?

Answer. I don't remember it.

Question. What makes you think you were a witness to this paper about double-quickening; did Mr. Fleming say he wanted you to witness it?

Answer. Yes, sir; he said to me about this way—did I know anything about the double-quickening? I told him no, I did not; says I, the double-quickening is more than I know; I went into the house as soon as I came to Mr. Camp's house; I went into the kitchen and sat down.

Question. You told Mr. Fleming that?

Answer. Yes, sir.

Question. Then what did Fleming say or do?

Answer. I am mighty bothered up in that case; I know he wrote on a piece of paper.

Question. What did he write?

Answer. I don't know; I can't read nor write.

Question. What did he say he wrote?

Answer. I think he said, as well as I can recollect, that there was a disputation between him and Mr. Poinier, and that's as high as he said to me.

Question. Which did he say that he called you to do, to swear to that paper or to witness it?

Answer. I think he wanted me to swear to it, if I don't make a mistake, but I have been so forgetful since I have been knocked about that I can't recollect. If I lay my hat down sometimes, I can't recollect it.

Question. You think you are probably mistaken, and probably he wanted you to witness it?

Answer. Well, yes. I won't tell a lie on Mr. Poinier or Mr. Fleming, or any of them.

Question. But the trouble is that you can't recollect things.

Answer. Yes, sir. I won't tell lies about things.

By Mr. STEVENSON:

Question. When you say that Mr. Fleming wanted you to witness a paper, what do you mean?

Answer. That is all I can tell you.

Question. Did he want you to be a witness to it or to swear to it?

Answer. He wrote on the paper, and he took me just under here and made a mark on it, but I don't know what it was.

Question. Do you mean he wanted you as a witness to prove it by?

Answer. Yes, sir; I expect that that is it.

Question. Is that what you mean when you say witnessed?

Answer. Yes, sir; I expect so.

Question. These men who were whipped on Sunday night were to be managers of the election?

Answer. Yes, sir; Mr. Champion and Clem Bowden.

Question. On the Sunday night before the election this whipping took place?

Answer. Yes, sir.

Question. How many managers must there be at the election?

Answer. I don't know a thing about that.

Question. How far was it to Cowpens Furnace from where you lived?

Answer. Three miles.

Question. How far was it from where you lived to where the other election would be?

Answer. Eight miles.

Question. It was eight miles from where they intended to hold the election to Cowpens?

Answer. No, sir; from where they whipped me at my house, it was about three quarters of a mile to Mr. Camp's, and about three miles from Mr. Camp's to Cowpens; it was just about the same distance. We are all neighbors there. It is about three miles to Cowpens.

Question. But where was the Battle Ground where they were to hold the election?

Answer. They were to hold the election at Mr. Camp's, but did hold it at the Battle Ground. Mr. Camp's is the old election place for years.

Question. The judge was asking you would it not have been worse for the democrats to have changed the voting place than it would have been for the republicans. Have the democrats generally in that neighborhood horses or mules to ride?

Answer. Some have horses and some have mules.

Question. Have they generally horses or mules?

Answer. Yes, sir; pretty much mules.

Question. How is it with the republicans, the colored folk?

Answer. I don't know. One colored man has; let me see; Arthur Bonner had a little stud horse.

By Mr. VAN TRUMP:

Question. How do these colored people that have one-horse places get along without a horse?

Answer. The master furnishes the stock. There is not a colored man since I came away has a mule around there.

Question. The colored people walk to the election and the democrats ride?

Answer. Yes, sir.

Question. Did you help to clear off that farm?

Answer. Yes, sir; I cleared up nine acres and have six for corn. It was a coaling ground, and they cut it down and then fenced it in. Some people lived there before I did. After he came up here and saw me, he told me to come out and he would give me a chance and give me that place.

Question. How about the old time?

Answer. The slave time?

Question. Yes.

Answer. Oh, I cut that down and cleared that all up smack long ago. This was the piece he bought from Mr. Camp.

SPARTANBURGH, SOUTH CAROLINA, July 7, 1871.

JOHN LEWIS (colored) sworn and examined.

By the CHAIRMAN:

Question. Where do you live?

Answer. At Colonel Sam Snoddy's.

Question. How far is Colonel Snoddy's from this town?

Answer. Twelve miles.

Question. How long have you lived with him?

Answer. I have been with him two years and started on a third; this year will make my third year when it is done.

Question. Were you raised in this county?

Answer. No, sir.

Question. Where were you raised?

Answer. In Alabama. The first part of the war I was in the army with my master; as we had some horses up here recruiting by Mr. Snoddy's I took the stock there and stopped, and that is the way I got there. After the surrender I stopped there.

Question. What are you doing now.

Answer. Tending crop.

Question. For Mr. Snoddy or for yourself?

Answer. Tending for myself, but working on shares.

Question. Have you had any trouble up there?

Answer. Yes, sir. I had a whipping.

Question. When?

Answer. Monday night, three weeks ago.

Question. Go on and tell us all about that.

Answer. They came to my door and they said, "Hey!" I was asleep. They called, "Hey, hey!" My wife says, "Lewis, listen." I says, "Listen at what?" I jumped right up quick; she says, "Listen; don't you hear the men around your house?" "What are you doing there?" I says; and they said, "By Christ, come out; I will show you what I am doing." There is a hole right at the bed, and I got up and sat on the bed, with my legs hanging out, and peeped out of the hole. They says, "Lewis, by Christ, arn't you going to get up and open the door?" I quit talking then. I never said any more after I asked them for some time. After some time I found out it was a crowd, and they said, "Open the door, Lewis;" and I spoke and said, "What do you want; do you want to whip me? I have done nothing to be whipped; I have not been long hereabouts in the country." He says, "By Christ, open the door; I will tell you, by Christ, what I am to whip you for." I hung down my head and studied, and said, "I have done nothing to be whipped for; and I don't think I can open the door." My wife jumped up to open the door; they said, "Open the door, Adeline;" that was her name. They said, "Lewis, you get up and come out." I was standing right in the middle of the floor; I stood there some time. "Arn't you going to come out here?" says he. I says, "I have done nothing to be whipped for; what do you want to whip me for?" After so long a time I went to the door. He says, "Come out, by Christ, among your friends." I said, "It don't look much like friends to me to come to beat me. Says he, "By Christ, come out. Then one come running right up to me, a great big fellow, and I stepped back in the house, and as I stepped back he got back too, and he says, "By Christ, come out." I went to the door and stepped down on the step; he says, "Come down on the ground, by Christ, among your friends!" I says, "I can do that and let the trouble be over with; short or long, let it be over with," and out on the ground I went. Says he, "How did you vote?" I says, "I voted the radical ticket." "You has, sir?" he says. I says, "Yes, sir." "Well, by Christ," says he, "Ain't you had no instruction?" I says, "I can't read, and I can't write, and I can't much more than spell." "By Christ," says he, "hush up; if you don't you go dead." I says, "You asked me a question." He says, "Don't you say another word or you will go dead." I says, "You asked me a question, and I will answer you some way or another," and so I says, "I can't read, and I can't write, and can't much more than spell." I says, "How can a black man get along without there is some white gentlemen or other with them? We go by instructions, We don't know nothing much." "O, by Christ," says he, "you radicals go side by side with one another, and by Christ us democrats go side and side with one another." I says, "I can't help that." He says, "You can't?" by Christ." I says, "No, sir; I can't." He says, "Well, sir, are you going to get up in the morning to see to your crop, and go to work?" I says, "Just as quick as I get my breakfast I am going." He says, "Is you tending to your crop?" I says, "Yes, I am." He says, "Is there any grass in your crop?" I says, "Yes, a little; according to the chances, I had a little grass there." He says, "By Christ, you have got to tend to the crop." I says, "I am tending to it." I says, "When I get out of corn and out of meat both, and anybody has got corn and meat, I jump out and work for a bushel of corn and a piece of meat, and work until I get it. I make something." That is what I told them. He says, "By Christ, you can get a piece with us." I says, "What do you want to whip me for? I have done nothing." "Come out in the road," he says. I stopped and studied and hung down my head. "I can't study up nothing," I said, "for what you ought to whip me." They said, "You didn't think about this when you voted the radical ticket." One of them threw a pistol right up here under my chin, and one grabbed me by the sleeve, and he says, "You must come." I says, "I can come without holding, I reckon, but it is mighty hard to take a whipping for nothing; the gentleman on the plantation has no out with me yet, and he says I am a good hand; and he gives me a good face, and I am obliged to believe it, I reckon, and anybody that wants to know whether I am a good hand or not needs no more than to go and look at my crop." He says, "Hush up, by Christ; don't speak another word;" I says, "I can't hush;" he says, "Get in the road and march," and in the road I went. They took me up the road pretty near to the edge of the woods; I can go to the spot now. Says he, "Off with your shirt." I says, "What do you all want to whip me for; what have I done?" "By Christ," he says, "off with your shirt; if you don't you shall go dead. We come from Manassas grave-yard; and by Christ we want to get back to our grave-yard and cover up before day, by Christ." I says, "I can't help that." He says, "Off with your shirt, or you go dead." I threw my shirt off. The one talking to me says, "You must hit him forty;" the other says, "thirty will do him." He says, "Now, Lewis, by Christ, you get down on your knees." I says, "It is hard to get down on my knees and take a whipping for nothing." Then I dropped down. He says, "By Christ, don't you get up until we get done with you."

They set to work on me and hit me ten or fifteen licks pretty keen, and I raised up. "Get down," he says; "if you ever raise up again you'll go dead before we quit you." Down I went again, and I staid down until they got done whipping me. Says he, "Now, by Christ, you must promise you will vote the democratic ticket." I says, "I don't know how I will vote; it looks hard when a body thinks this way and that way to take a beating; I don't know how I am going to vote." "You must promise to vote the democratic ticket, or you go dead before we leave you," he says. Then I studied and studied. They gathered right close up around me. "Come, out with it—come, out with it, by Christ." Then I says, "Yes, sir, I reckon so." "Well," he says, "by Christ, you've got to go better than that; if you do not, by Christ, you must go dead." I says, "Yes, sir." Well, after I told them that, they said, "By Christ, now get up and put on your shirt." I said, "Yes, sir;" I started off with my shirt in my hand. "Put it on, by Christ," says he. I says, "I want to get to the house and rub where you whipped me and fix up." He says, "By Christ, if you don't put on that shirt again, right now, you will never get back to your little log cabin, I think." I stopped and studied, and had to put on my shirt. "Now," he says, "by Christ, you go; we are done with you, Lewis; I know, Lewis, you are tired, rest yourself; but never let this get out; for if you do you must go dead; if you let it get out you must go dead for it all; I will come back." I says, "Yes," and back I went to my house, and off they went.

Question. Is that all of it?

Answer. Yes, sir; that is all.

Question. How many men were there?

Answer. As nigh as I could see or guess at it, for I was aiming to count them, but they hit me so hard I could not count; but as I could guess there was about twenty-five of them.

Question. Were they on horseback?

Answer. Yes, sir; the horses were up in the woods.

Question. How were they armed?

Answer. They had six-shooters.

Question. How were they dressed?

Answer. In black, and had I could not tell what sort of fixing about the head. They had horns and one thing and another; and dressed in great long black gowns reaching clear down to the feet; I noticed that good. The head and faces, I can't tell how they were fixed, they were so curious.

Question. Did you know any of them?

Answer. No, sir.

Question. You cannot tell who they are?

Answer. No, sir.

Question. Did you recognize any of them?

Answer. No, sir. If I had been in this country as long as the balance of them, I would have told some of them, I guess; but I had not been long, and had not been acquainted with the folks.

Question. What was the name of your Alabama master?

Answer. Robert McGarry.

Question. Was he in the army?

Answer. Yes, sir; a first lieutenant.

Question. Have you staid down there since that time at your home?

Answer. Yes, sir; I am still staying there yet.

Question. Have you felt afraid since that?

Answer. Not a bit.

Question. Did they say anything about coming back and visiting you?

Answer. They said they allowed to come back if I let this get out about their whipping me, and make me go dead.

Question. You are not afraid since?

Answer. No, sir; I am not afraid a bit. They never scared me. I heard tell of them a heap before they came. They never scared me when they came and I have never been scared since.

Question. Have there been any others whipped in your neighborhood?

Answer. Yes, sir; here is Buck Jameson down here they whipped within three or four hundred yards of me; that was the same night. They went right from my house straight to his house and took him right up. There was not more than half an hour difference in the whippings.

By Mr. STEVENSON:

Question. You say you were not scared; are you not afraid they will come back and whip you again?

Answer. No, sir; I am not afraid.

Question. Do not you think they will?

Answer. I know this much: I know that I have done nothing for them to come back and whip me.

Question. You had done nothing before?

Answer. I did not do nothing, but if they come and whip me again they will just overpower me like they did; I can just let them whip, there is no use to be afraid about it.

Question. Do you sleep in your house?

Answer. Yes, sir; I just go on and take it as it comes. I hold that if they kill me they kill me on a wrong thing.

Question. How old are you?

Answer. Going on twenty-three years.

Question. Did you know any of the voices?

Answer. No, sir; they talked so curious.

Question. How curious?

Answer. Well, just like they talked about the Manassas grave-yard.

Question. Do you mean in a deep tone of voice?

Answer. Yes, sir; deep voices.

Question. Was it deep down?

Answer. Yes, sir; deep voices.

Question. Like it came from the grave?

Answer. Yes, sir; with a deep-down voice.

Question. Did they go over that oath every time they spoke?

Answer. Pretty nearly every time he went over that oath.

Question. Was one man acting as spokesman?

Answer. One man did the talking. The balance stood around and did not talk.

Question. What did they whip you with?

Answer. Peach-tree hickories.

Question. Peach-tree switches?

Answer. Yes, sir; limbs.

Question. By hickory you mean any limb, or switch?

Answer. Yes, sir; I call that a hickory.

Question. Where did they get the switches?

Answer. Right off the tree at the house; at the corner of the garden. There is the sign where they broke them, and there is the hickories they wore on me, without the colored children picked them up.

Question. Are the other colored people afraid?

Answer. Some say they are, and some say they are not.

Question. Are any of them sleeping out?

Answer. Not that I know of, not close around me.

Question. Are not you afraid they will kill you?

Answer. No, sir; I know one thing: when they kill me I will be dead.

Question. You do not seem to put a very high price on your life?

Answer. I just know that if they overpower me I can't help it.

Question. Were you under fire in the army?

Answer. No, sir; I just went to wait on my master.

Question. You did not go into battle?

Answer. No, sir.

Question. Suppose you vote the radical ticket next time?

Answer. I will vote just as I did at first. They will whip me for it anyhow, but I will vote again.

Question. Are you not afraid they will come and kill you next time?

Answer. I can't help it.

By Mr. VAN TRUMP:

Question. This one man seemed to be not only pretty familiar with you, but he knew the first name of your wife; were you surprised at that?

Answer. I was a little surprised at his knowing my wife. He called her Adeline.

Question. Where did you marry her?

Answer. There at Sam Snoddy's, right in the house next to the garden; right in the corner opposite the garden.

Question. There were about twenty or twenty-five of them, you said?

Answer. Yes, sir.

Question. You said you could not estimate them because they were whipping you so. I take it from all that you said of the conversation between you and this man, who knew your name and the name of your wife, that you had a good long while to count them, if you wanted to, before they commenced whipping you.

Answer. I just asked them what they were whipping me for.

Question. Were you looking around?

Answer. I was doing all the looking around I could, but I could not make out how many there were, or whose voice it was.

Question. Could not you catch how many there were?

Answer. This man was right up before me in this way; right up before my face, and I was looking all around, but I could not tell one in the bunch.

Question. Have you detailed the conversation just as it occurred between you and that man?

Answer. Yes, sir; just as that man and me talked, I gave it right here.

Question. Did that man, in that conversation, use the term "by Christ" about fifty times?

Answer. Yes, sir. I do not know but he come over it more than that. He says, "By Christ, we come from the graveyard, Manassas graveyard, and have got to go down"——

Question. I did not ask you to go over it again, but asked you whether you thought that man, in that conversation, used the term "by Christ" forty or fifty times?

Answer. Yes, sir.

Question. Was there no other oath sworn there?

Answer. No sir, none of them ever cursed except to come over that "by Christ," as I come over it. None of them ever cursed except that, and that was by just one man.

Question. There was nothing said as to the reason for which they came to see you except that you had voted the radical ticket?

Answer. Yes, sir; and they talked about my crop.

Question. How long have you been living there at Sam Snoddy's?

Answer. Two years last Christmas, now going on three years.

Question. You are from Alabama?

Answer. Yes, sir.

Question. Was there any dispute between you, as an Alabama colored man, and some of these South Carolina colored men?

Answer. No, sir; no trouble.

Question. Do not you colored men have any difficulties at all?

Answer. No, sir.

Question. Never?

Answer. We have some little crosses sometimes. We had some right there together, sometimes.

Question. Have you had any little crosses with these South Carolina negroes?

Answer. Yes, sir.

Question. When?

Answer. Let me see how many Sundays it has been; I cannot tell how many, but it has been three or four Sundays ago. We went out to a meeting ——

Question. A religious or a political meeting?

Answer. We went out and there was one black fellow on the plantation; you could not say he was a preacher, but he would just sing among us and hold prayer meetings; his name was Aleck; he stayed to Mr. Richardson's last year. At a corn-shucking we had that dispute, about three or four Sundays ago. I cannot recollect how long it has been. He says, "All you Sam Snoddy's niggers" ——

Question. State, upon your oath, whether this was before or after this Ku-Klux visit?

Answer. It was before this disputement took place.

Question. Which was first—your dispute with this negro or the Ku-Klux coming to you?

Answer. My dispute was first. It was Sunday, about 12 o'clock, and then on Monday night these men came.

Question. Go on.

Answer. This black fellow said, "You niggers on Sam Snoddy's plantation have been boasting about me at the corn-shucking about the way I wrestle," and he talked, and I says, "Aleck, I got no business about you;" I says, "When I get mad I come to you, Aleck, and let you know about it, and I will not toot around you," and Aleck says, he says, "I am done with it;" and I says, "I am done with it too," and he just vanished right off from there, and he went one way and I went the other. I went home and he went off. Him and me went one road. The road went by where he staid. I passed the road about half a mile the other side of his house, and he went like he was going home, straight up the road; and I went my road home; and then Monday night these men came on me.

Question. Is that all the trouble you had with the colored men?

Answer. That is all.

SPARTANBURGH, SOUTH CAROLINA, July 7, 1871.

WILLIS BUTLER (colored) sworn and examined.

By the CHAIRMAN:

Question. Where do you live?

Answer. At Colonel Sam Snoddy's.

Question. What do you do there?

Answer. Farm, sir.

Question. Do you rent land?

Answer. Yes, sir.

Question. How much land have you rented?

Answer. I reckon I have got about twenty-seven acres.

Question. How long have you lived there?

Answer. I went there last year.

Question. Where were you raised?

Answer. I was raised here in Spartanburgh; Mr. Jase Hawkins raised me until I was fifteen and then Miss Nancy Thompson bought me.

Question. Have the Ku-Klux troubled you any?

Answer. Yes, sir.

Question. When?

Answer. Last month, not three weeks ago.

Question. Go on and tell us all about it?

Answer. They came along and called me up when I was in bed asleep. I got up and went out of the door. By the time I went out of the door, they presented pistols in my face and told me I was not attending to my crop good. I told them I was. They said I was not. They asked me if I voted. I told him, no, sir; I never voted. He asked me what was the reason I was not at the election. I told him because I was tight the morning of the election. He says to me, what would you have voted if you had gone. I told him I would have voted the radical ticket because I was done sworn in. He took me by the arm and told me to come and take a walk with him. I walked a little piece, about a hundred yards, and he told me he was obliged to give me a few, and he hit me fifteen pretty keen, pretty hard. Then he told me to go on back to the house and not say nothing about it and go to bed.

Question. How often did they strike you?

Answer. They struck me fifteen licks.

Question. How many persons were there?

Answer. Only six or seven.

Question. How were they dressed?

Answer. I never saw men dressed like them before. They had some kind of false faces over their faces so that I could not tell who they were, and they had horns on their heads.

Question. Had they any arms?

Answer. They had pistols. One of them had a double-barrel shot-gun. It looked so to me in the night. He had a gun.

Question. Was this the only time you were ever visited by them?

Answer. Yes, sir; I never was visited before.

Question. Have there been any other persons in that neighborhood visited by the Ku-Klux?

Answer. Yes, sir; I know three more.

Question. What three?

Answer. Jim Snoddy, Bob Drummon, and Caleb Tucker; but they are not in Beech Spring Township. They are five or six miles off.

Question. Was it before you were whipped or afterward that they were whipped?

Answer. One of them, Jim Snoddy, was whipped before I was. I have understood that the other two were whipped since I was whipped.

Question. Is that the whole story about your whipping?

Answer. That is all I can tell about my whipping.

Question. Have you been afraid since that time of being whipped again?

Answer. No, sir; I am not afraid. I have done nothing for them to whip me for.

Question. When you say you are not afraid of them, do you mean that you do not fear them, or that you do not believe that they will come again?

Answer. I am not afraid of them. I am not thinking about them. I do not know whether they will come any more or not.

By Mr. STEVENSON:

Question. If there was another election would you be afraid to vote the radical ticket?

Answer. No, sir; I never expect to be afraid.

SPARTANBURGH, SOUTH CAROLINA, July 7, 1871.

ALBERRY BONNER (colored) sworn and examined.

By the CHAIRMAN:

Question. Do you live in this county?

Answer. Yes, sir.

Question. How far from town?

Answer. About twenty-one or twenty-two miles.

Question. In what township?

Answer. I most forget in what township it is in now.

Question. What do you do there?

Answer. I farm.

Question. On whose land?

Answer. Mr. Lemon's land.

Question. Have you rented it?

Answer. Yes, sir.

Question. How much?

Answer. About twenty-five acres.

Question. Have you a family there?

Answer. Yes, sir.

Question. Have you had any trouble with the Ku-Klux down there?

Answer. Yes, sir.

Question. Tell us what it was and when it happened.

Answer. It happened about the last of February. They came to my house on Saturday night. They came running in, staying against the door, and said, "Come out; come out; come out, God damn you." I flung out of bed; by that time they had the door bursted down, and I went out among them, and they asked me, "Did you vote the radical ticket?" I said I did. He said, "God damn you, what did you do that for?" Then they wheeled me and jerked a handkerchief out and tied it around my face and told me to sit down. I sat down. They went in and searched the house. They drove me out before them up to the old field, and kicked me along the way. When they got me up to the old field, away up there, they told me to draw my shirt, that they had taken me far enough. I took off my shirt; they jerked my pants off, and all got hickories, some seven or eight of them, and let in on me to whip me—that was up on the hill. Then they threw me down and whipped me down a while, and then wheeled me over and whipped me there a while, and then raised me and beat me until they had got satisfaction; and then told me to run; and then they whaled me again as long as they could keep up with me; and I left them then.

Question. Did they say anything more to you after you got out of the old field?

Answer. No, sir; only they shot off their pistols.

Question. But when they took you out to whip you, what did they say it was for?

Answer. For voting the radical ticket.

Question. Was that when you left the house?

Answer. Yes, sir; after I left the house. They said it was because I had voted the radical ticket.

Question. Had you taken any part in politics there?

Answer. No, sir.

Question. Can you read or write?

Answer. No, sir.

Question. Did you know any of these men?

Answer. There was one man I knew.

Question. Who was he?

Answer. Israel Champion.

Question. Where does he live?

Answer. At Mr. Camp's.

Question. What is he; is he a laboring man, or farming?

Answer. Farming.

Question. Is this all you know about their operations there?

Answer. That is all they did to me.

Question. Were there any others whipped there?

Answer. Not at my place.

Question. Is this Champion you speak of the only man you did know?

Answer. Yes, sir.

Question. How many persons were there altogether?

Answer. About six or seven.

Question. Were they disguised?

Answer. Yes, sir; all but one or two of them looked like they had little veils or something over their faces.

Question. How was it with Champion?

Answer. Something was tied over his face.

Question. How did you know him?

Answer. I knew him by his talk, and by the way he was doing. I knew him very well.

Question. Had you been acquainted with him?

Answer. Yes, sir; been with him every day; had worked right with him. They would blindfold me and I would take the handkerchief off and see them.

Question. Do you know of any church being torn down in that neighborhood?

Answer. Yes, sir; a church was torn down.

Question. Who did it?

Answer. I do not know.

Question. Was it in the night or day time?

Answer. I do not know when it was torn down. It was torn down, for we saw it.

Question. Who did it belong to?

Answer. The colored people put it up. A white man gave a lease of it on his land.

Question. Was it the colored people who tore it down?

Answer. I do not know who tore it down.

Question. Was it the church you attended?

Answer. Yes, sir.

Question. Did that excite any remark there in the neighborhood?

Answer. No, sir; not very much. They didn't know who tore it down. They just allowed that the Ku-Klux had torn it down.

Question. You have no knowledge which will enable you to say who tore it down, or why it was torn down?

Answer. No, sir.

Question. Have you told us all you know about this visit to you and what they did to you?

Answer. Yes, sir.

Question. Have you had any quarrel in that neighborhood that would account for this visit to you?

Answer. No, sir; I am not a quarrelsome man and have had no quarrel.

Question. Have you lived at home ever since?

Answer. Yes, sir; in the same place.

Question. Have you slept at home?

Answer. Yes, sir; ever since that night. I have made myself easy since that.

Question. Why did you not before that?

Answer. Because they were all around there and they had beat so many nearly to death, and I thought they would close on me.

Question. Have many been beaten there?

Answer. Yes, sir; a good many of them were beaten, so that they have gone to Charlotte. They beat Matt. Huskie so bad he could not travel.

Question. Who else?

Answer. Several others they beat are here now.

By Mr. VAN TRUMP:

Question. You do not know the township you live in?

Answer. No, sir.

Question. Do you know the name of the county?

Answer. Spartanburgh, I believe.

Question. Are you sure it is Spartanburgh?

Answer. Yes, sir.

Question. What State is it?

Answer. South Carolina.

Question. Is it South Carolina or North Carolina?

Answer. South Carolina.

Question. In what direction is your place from here?

Answer. I live—I do not know whether you know where Mr. Camp lives.

Question. Is it north or south, or east or west, from here?

Answer. It is north from here, I think.

Question. Is it near this battle-ground of Cowpens?

Answer. Yes, sir; it is below that, about three miles from there.

Question. Is that a pretty wild country up there?

Answer. Yes, sir.

Question. Is it a mountain country?

Answer. Yes, sir; pretty hilly.

Question. Are the people generally poor that live up there?

Answer. Some of them are.

Question. There are not many white persons well-off there?

Answer. Not many.

Question. A pretty wild, drinking sort of a place?

Answer. Yes, sir; some drink and some do not. Some are very wild.

Question. You knew Israel Champion, who was one of these men. Is he a relation of Buster Champion, (William M. Champion)?

Answer. I think he is some kin. I do not know.

Question. How far do you live from Buster?

Answer. About five miles.

Question. Do you know him?

Answer. Yes, sir.

Question. Was he among you black people there a great deal?

Answer. He was right smart.

Question. Does he attend the Union League?

Answer. Yes, sir.

Question. You have a Loyal League there?

Answer. Yes, sir.

Question. How often do you meet?

Answer. We did meet every two weeks, but not now.

Question. Do you know of any colored militia company being formed at Quinn's and armed there?

Answer. I heard of it. I was not out myself.

Question. Were you a member?

Answer. Yes, sir.

Question. You have met there with them?

Answer. Yes, sir; I have been out.

Question. Did you hold your Loyal Leagues and your military gathering at the same time?

Answer. Yes, sir.

Question. Have you guns there?

Answer. I do not know whether the guns are there now or not. They were to get guns.

Question. Have you got a gun yet?

Answer. No, sir.

Question. Did not Governor Scott send you up ninety-six Winchester rifles?

Answer. I heard they were to be there, but they got up that row and it broke it up.

Question. Did you not hear that they were there afterward?

Answer. No, sir; I heard they were here at town.

Question. Does not this man, Buster Champion, live with a colored woman?

Answer. No, sir.

Question. Is not that well understood there?

Answer. No, sir; I do not think he does. I never heard it. If it is so, it is more than I know.

Question. Where does Israel Champion live?

Answer. At Sol. Camp's.

Question. With him or near him?

Answer. He lives right there on the place, within fifty yards of his house.

Question. You say that when they first got the door down and you went out, the first thing they said was, one asked, had you voted the radical ticket?

Answer. Yes, sir.

Question. Who said that?

Answer. That was Champion.

Question. Afterward, when the chairman asked you about that thing, you said that after they left there they told you they were going to whip you because you had voted the radical ticket?

Answer. Yes, sir.

Question. Why did you not think of that before? Why did not you think of that yourself, that they had whipped you because you had voted the radical ticket? Had you forgotten that?

Answer. I expect I did.

Question. They did not tell you when they asked you whether you had voted the radical ticket that they were going to whip you because you had voted the radical ticket.

Answer. No, sir.

Question. But it was after you got up in the field?

Answer. Yes, sir.

Question. What does William H. Champion do when he meets you in the Union League? Does he tell you what you are entitled to, and what you ought to have, and what you ought to do?

Answer. Yes, sir.

Question. Has he ever told you, in your hearing, that you ought to stay on the land where you are because you are entitled to a homestead in it?

Answer. Yes, sir.

Question. He has told you that, and to stick to it, and that even after your leases were out you were entitled to stay there?

Answer. No, sir; I do not think he told us we were entitled to stay.

Question. What did he say?

Answer. He told all you said but that.

Question. He may have told you more than that?

Answer. That is what I understood him to say—just what you did say.

Question. Did he not tell you that you were entitled to the land you were living on?

Answer. No, sir; he did not say anything about the land, though he was reading it over in a paper, and I may have misunderstood.

Question. Was he reading the law to you?

Answer. Yes, sir.

Question. What sort of a book was it?

Answer. It was a big book.

Question. How did he read from the book?

Answer. I can't exactly tell myself just now, for I couldn't go over it like he did.

Question. What did he tell you you were organized into military companies for?

Answer. He did not say, as I recollect.

Question. When you entered into this Loyal League did you take an oath?

Answer. Yes, sir.

Question. A pretty hard oath?

Answer. Yes, sir.

Question. A solemn one?

Answer. Yes, sir.

Question. Did they make you hold up your hand or kiss the book?

Answer. Hold up the hand.

Question. Who swore you in?

Answer. Mr. Camp.

Question. A white man?

Answer. Yes, sir.

Question. Do you recollect what the oath was?

Answer. I do not know as I do now.

Question. Did it make you swear that you would vote the republican ticket?

Answer. Yes, sir, that is so.

Question. Did it make you swear you would do your dealing with good republicans?

Answer. Yes, sir.

Question. It made you swear to vote the republican ticket, no difference who was on it?

Answer. Yes, sir.

Question. And you think you ought to continue to do it, because you did swear it?

Answer. Yes, sir.

Question. You feel as if you were bound to do it?

Answer. Yes, sir.

Question. You took the oath as an honest man, and want to keep it as an honest man?

Answer. Yes, sir.

Question. No difference whether the question benefits the country or not, you are bound to vote for a republican, and never for a democrat?

Answer. Yes, sir, that is what I think.

Question. And that oath was administered to you by a white man?

Answer. Yes, sir.

Question. Has it never been talked in this lodge or League as to what you were to do as soldiers?

Answer. No, sir; I do not know; well, that if anything would happen we should be ready.

Question. What was talked about as likely to happen?

Answer. We did not know what. Men might get into a row in some way, and at a minute's warning we should go.

Question. These men did not instruct you that the danger was that you would get into a row whenever you were armed?

Answer. No, sir.

Question. They did not tell you that the best way in the world to get into a row was to have arms?

Answer. No, sir.

Question. That League is kept up yet?

Answer. No, sir; it is broken up.

Question. What broke it up?

Answer. The Ku-Klux got into such a way that they could not meet. They got to riding so that we just had to stop it. We were not safe at all.

Question. You never mustered?

Answer. No, sir.

Question. How many companies were raised up there?

Answer. There was about sixty men.

Question. In that one company?

Answer. Yes, sir.

Question. The colored people are not so many up there as in other parts of the country?

Answer. No, sir.

Question. It took about all the colored people there to make that company?

Answer. Yes, sir.

Question. Do you not know that it was not a full company; do you know how many takes to make a company?

Answer. About a hundred, I think.

Question. Who was captain of that company?

Answer. I do not know. They said Mr. Camp was going to be captain.

By Mr. STEVENSON:

Question. When was that Union League formed?

Answer. That was away about a year ago.

Question. Was it not before the presidential election in 1868?

Answer. Yes, sir.

Question. When did the Ku-Klux begin to ride in that neighborhood?

Answer. It has been nearly a year ago. It will soon be a year. Next month will be a year since they commenced riding there.

Question. Before the last election?

Answer. Yes, sir.

Question. How did Mr. Champion happen to be telling you anything about your rights to land?

Answer. We were in the League. He told us all to hold on; that the times would be better for us after a while; that all the colored people would get land; to hold on and make ourselves easy and not have anything said out of the way, and get along the best we could, and all would work right after a while; to attend the Union League as usual, and to come out whenever they called for us.

Question. How did they expect to get land?

Answer. He did not explain exactly how we would get it, but we would all know; we would get news now and then; we would know better about it hereafter.

Question. Was anything said to you, in your League, about each man getting forty acres of land and a mule?

Answer. I never heard that. I have heard of its being said. I heard some colored people say they had heard it. We were all so busy we could not all attend it, and some would miss; they heard that, and they would tell me when they came away.

Question. What was it that they told you?

Answer. They said we would get land and a mule; that they had heard that at the League to-day, like the League was to-day.

Question. That they had heard it there?

Answer. Yes, sir.

Question. Who did they hear say so?

Answer. They did not say. I allowed that they heard him say so.

Question. Was there any talk there about taking your land away from you that you were then tending, and driving you off, if you did not vote the democratic ticket?

Answer. No, sir. I did hear of some talk about that, but I never heard it.

Question. Was that what Mr. Champion was reading the law about?

Answer. Yes, sir, I think it was.

Question. Did he read it out of a big book with a leather back?

Answer. Yes, sir.

Question. Something about the rights of tenants to land?

Answer. Yes, sir.

Question. He was not giving you his opinion, but reading the law?

Answer. Yes, sir.

Question. Was that the way you understood it?

Answer. Yes, sir.

Question. Was this oath you took in the League read to you out of a book?

Answer. Yes, sir.

Question. So that whatever is in it was in that book?

Answer. Yes, sir.

Question. Do you mean to say they swore you to vote for every one on the republican ticket, whether he was a good or bad man?

Answer. They did not say whether they would vote for him whether he was good or bad.

Question. Was anything said about voting any ticket?

Answer. The oath was to vote for all loyal men.

Question. Was there anything about supporting the Constitution and laws?

Answer. Yes, sir.

Question. And to vote for loyal men?

Answer. Yes, sir.

Question. You understood that to mean voting the radical ticket?

Answer. Yes, sir.

Question. Are not the democrats loyal?

Answer. I do not know whether they are or not.

Question. Do you not think they were?

Answer. I did not know whether they were or not.

Question. Anyhow, you thought if you voted loyal you would have to vote the republican ticket?

Answer. Yes, sir.

Question. Does this man Champion own land there?

Answer. No, sir.

Question. What is his business?

Answer. He is a farmer—farming rented land.

SPARTANBURGH, SOUTH CAROLINA, July 8, 1871.

Hon. JAMES CHESNUT sworn and examined.

By the CHAIRMAN:

Question. In what part of the State, General Chesnut, do you reside?

Answer. I reside within two or three miles of Camden, Kershaw County, South Carolina.

Question. You are, I believe, a native of this State?

Answer. Yes, sir; of that district or county.

Question. The resolution under which this committee is acting requires us to examine into the manner in which the laws are executed in this State, and the security of life, person, and property within the limits of the State. As I have no knowledge of the specific matter to which you are expected to testify, I put the general question, asking you for such information as you can give us on those points: first, as to the efficiency with which the laws are executed in this State; second, as to the security of life, person, and property.

Answer. In relation to the execution of the laws of the State, so far as my information goes, I think it depends very much on the locality. In some parts of the State the laws have not been more than ordinarily violated. In others I think they have been. In the region in which I live, and of which I can speak of my own knowledge, the execution of the laws in the main has been very good, with some exceptions. As to the security of life and property, I would make the same observation; so far as life is concerned, it is not so secure by any means as it was before the war—in relation to the security of property, far less so, arising undoubtedly from the condition of affairs in this State.

Question. When you speak of life being less secure than before the war, please state whether you refer to cases of individual violence arising in contests between individuals as being more numerous, or whether there is anything like an organized resistance to the laws?

Answer. I will speak as to both. I think, in relation to all that class of cases, such as assaults and batteries, sometimes homicides, the condition of affairs in South Carolina has increased the number very largely over what it was before the war, because at that time our people were proverbial for being law-abiding citizens. I think that that increase has been owing entirely to the political condition of affairs in this State, arising, I think, from this: There is a deep dissatisfaction, undoubtedly, in the hearts of the people of this State. The legislature, the government of this State, has been very bad, as is notorious. The people having been accustomed heretofore to a well-ordered civil government, and certainly to self-government, suddenly found themselves in a condition where their whole system, social and political, was subverted, and this government put over them and exercised without intelligence and without integrity. I think I may safely say that under my oath, because that is notorious to friend and foe. That is the main cause which has produced that discontent in the State. It is the State government; and I think it can be remedied only by an approach, at least, to a good, honest, and intelligent government. That being done, I am quite satisfied that the condition of the State will improve vastly. Now, sir, I think you asked me also in relation to these matters of violence—if I had an opinion as to organized resistance to the laws. I would say, Mr. Chairman, in beginning, that personally I have no knowledge of any organized body in opposition to the laws of this State. I believe that associations do exist partially in the State. I believe that those associations are local and limited. I say that, from my knowledge, or from assured knowledge, my earnest belief is that no such bodies exist in the country where I reside, for if they did I am sure I would know it. I firmly believe, sir—because I live in a very peaceful part of the State, and we have never had our peace disturbed until recently—that no such bodies exist there, and there are none lower down the country, as I am informed. In fact, I do not know; I speak from my personal observation when I say I speak of my knowledge. I think they are limited and local. I do not know that I have ever seen

one person belonging to such an organization; if I have I am not aware of it. Therefore all my information now is derived, and not personal.

Question. What is your information as to the character of this organization?

Answer. So far as I have been able to get at it—and I have watched the progress of this thing, it being a new phase in our government—I think that politics is not the basis at all of these organizations. My attention was first attracted to that shortly after the arming of the militia of this State, and a large number of instances of the burning of barns and dwellings, gin-houses and stables, &c., in the country. Then followed the arming of the militia—the colored militia I mean, because the white people were not armed, and in the main were excluded from organization. Upon that, the first thing that attracted my attention in relation to these organizations which induced me to believe that they did exist, was in these upper counties, generally bordering on the State. They then commenced this thing, and it went on increasing until it culminated in that very extensive affair which occurred in Unionville. Since then I have heard of but few cases, and those on a smaller scale. I have heard of trouble in Chesterfield, and only one instance in Lancaster. I happened to be in Chesterfield delivering a lecture at the time. It was the killing of one who had been in the employment of the State, perhaps a treasurer; perhaps he was still. I saw a gentleman and had an interview with him, and he read to me a letter from a lady—he told me there were numerous instances of the kind—in which it appeared that this lady had been summoned to immediately pay her taxes, and the tax claimed was \$70. This gentleman, who is a senator from that county, took the letter and went up to arrange the affair, when it was discovered that the true tax was but \$7. Yet he had determined to sell her out immediately if she did not respond to that demand for \$70. He told me of another instance, and then I learned from gentlemen about that neighborhood that there were numerous instances of such action by this party, and they were inclined to two opinions: one was that some persons, believing themselves wronged, had committed this deed. Others supposed again that there was a feud between the party slain and a Mr. Donaldson, who was the auditor, I think, and this man was a witness against him. He was an official of some kind, and they supposed that the killing proceeded from the fact that this was the only or the important witness in some alleged malfeasance of his in office, and that the killing proceeded from that.

By Mr. VAN TRUMP:

Question. Some malfeasance in Donaldson's office?

Answer. Yes, sir; but that, of course, was mere conjecture. The other was the more probable cause.

By the CHAIRMAN:

Question. These are your reasons for believing it local?

Answer. Yes, sir; local and limited. I would not like to be misunderstood. I believe that the most of those constituting such bodies, if there be such, belong to the other party; that is, to the democratic party.

Question. Is it your belief that that results from the hostility existing between the races here, they having divided by parties, or from any party motive?

Answer. I think not. I think if you will examine the larger number, or at least a large portion of the cases of killing, it will be found they have been the killing of obnoxious white men—officials generally.

Question. Take the county in which we are sitting—Spartanburgh.

Answer. I am not much acquainted with this county, and have not been here much.

Question. Take this county for the purpose of testing that view. In this county, I understand, there is a large democratic majority, and in it there are numerous instances of whipping colored men. Now, upon what basis would you account for that state of things in this county, taking the theory which you have at first propounded?

Answer. If that be the case here, I suppose there are individual instances of these parties acting in hostility; for they are hostile as races up here now, I understand, but they have not yet assumed that form where I live. I understand that to be the case about here; and, also, that the character of those who come in conflict with the negro up here approximates more nearly the status of that race than I would do or you would do, if you lived here. I suppose those immediately concerned here have been aggravated by individual wrongs, they being a class in more immediate contact with the class to which you have referred than other people. I think they are in conflict from personal grudges, or from some offenses, or some undue assertion, or from supposed wrongs; and I can see no reason to believe that these organized bodies have any political coloring whatever, so far as my observation has extended; and I have tried to trace them.

Question. You are speaking from your observation and general reading?

Answer. Yes, sir.

Question. Would your testimony be modified if the evidence taken here were shown to you and disclosed the fact that the victims have been informed, upon being made

the subject of violence, that they must quit voting with republicans and vote the democratic ticket?

Answer. That would go far to modify my opinion.

By Mr. VAN TRUMP:

Question. Unless you believed that that was assumed as a pretext to cover up the real motive?

Answer. Yes, sir; so far as it was assumed; but if they were taken by force in that way, for that motive, it would go far to modify my opinion.

Question. Based upon that, I will put this question: if I understand you, you say that necessarily up in these mountain regions here, there is a large class of white men who, as to position, assimilate nearer the position of the negro than the gentlemen you spoke of?

Answer. I would put it in a different form, for I do not like to use offensive language to either race. I say they feel more aggrieved at the condition of affairs than I would do, because we do not feel that the negro is at all self-asserting as toward us. He does not approach us in that way to make us feel that he is offensive.

Question. Throwing out, for the purpose of illustrating my idea, this declaration to these negroes by the Ku-Klux about compelling the negroes to vote—

Answer. I do not believe it is Ku-Klux, but small bodies of individuals.

Question. They are called that. What would be a natural explanation of this thing? Is it not a contest between a class of poor white people in the mountains here, who have to work for their living, and the negroes? Is it not more likely that it is a question of labor and social caste between that class and the negro? Does not this state of things exist there now; the negro race and these laboring men being brought into sharper contact with each other?

Answer. Unquestionably, that is true; but I would not account altogether for these individual cases upon that ground, because I can imagine many cases that would arise from parties being somewhat of a nuisance, being offensive, or being thieves.

By the CHAIRMAN:

Question. Then I understand it to be your belief that where these occurrences do take place the authors of them are that lower class of white people who, I understand, have a much more deeply-seated hostility to the colored race than the better class of white people?

Answer. I am not saying that of these particular acts, because I do not know those who committed those organized acts. I am speaking of individual cases.

Question. But you spoke of a class who would be likely to commit such offenses?

Answer. Yes, sir; they are in closer contact to that race.

Question. Where classes of that kind do exist in counties in this State, do they control public sentiment?

Answer. No, sir; by no means.

Question. Could the perpetrators of offenses of that kind to any great extent go undetected and unpunished if there was not a public sentiment which, at least, palliated their offenses?

Answer. I could well imagine and do believe that these parties who undertake, in this condition of affairs, this sort of execution of what they suppose to be law—I can well imagine that they would so manage as to shelter themselves, because they would not come to me or to others who, when asked if they did this or did the other, as a matter of course, upon oath, would state it. Those who commit these acts I am well satisfied would not proclaim it.

Question. That may be true; but where the public sentiment formed and controlled by the intelligent portion of the community was in decided reprobation of such proceedings, would they be possible?

Answer. It would repress it, and has repressed it to a great extent.

Question. And yet all have escaped detection?

Answer. I do not know about all having escaped detection, but I believe it has been repressed to a large extent by the better opinion and sounder judgment and intelligence of the country. If you will look, Mr. Senator, into the real condition of this thing and see how it comes about, it will strike you at once, I think, that it is not so very unnatural here, where cases of violence had been existing in this State, and existing the earth over, enough to make all good men deplore it; but at the same time I do thoroughly believe that neither in number nor atrocity will the cases of crime, if all are brought together, which have occurred in South Carolina for twelve months, and which have so much increased, exceed a single month's report of Boston or New York, bad as is the state of things here. And then the reason—it is the natural outgrowth of the political and social condition of the State.

By Mr. VAN TRUMP:

Question. Growing out of the war.

Answer. No, sir; it has grown more out of the condition of affairs that was put upon the people when suffrage was first declared.

Question. That was a consequence of the war.

Answer. I thought you meant the war in its immediate effects. It has grown out of it. Three hundred thousand white people here around us, who had been accustomed to self-government, who had had an orderly government and had participated in that government, whose property had been taxed only by those who paid the taxes, beheld the whole thing suddenly subverted and themselves placed at the mercy of ignorance and of corruption, foreign and domestic. These people are under an absolute despotism, and you will find that the countries where governments are most despotic are precisely those in which secret associations appear; associations of parties ardent and seeking redress for real or fancied wrongs which they think cannot be avenged through the government. That is the true secret of all this thing. It arises from the government of the State of South Carolina. It does not belong to our country more than any other, but precisely as you approach despotic power in a government you find these parties forming associations. But nowhere are they countenanced by thinking or good men.

By the CHAIRMAN:

Question. Your theory is that there are lawless organizations having their origin in the causes you have referred to?

Answer. Yes, sir.

Question. Instituting the comparison you have made between the number of crimes committed in a given territory here and in the cities of New York and Boston, does it enter into your belief at all that there could have been in this county, which, I understand has thirty thousand population, as many as from two to three hundred cases of persons being whipped within six months, and not one individual punished for such offense?

Answer. I should think, sir, unless they were very secret in their operations, that somebody ought to know it.

By Mr. STEVENSON:

Question. And those acts occurring in all parts of the county?

Answer. It is a very large county.

By the CHAIRMAN:

Question. I am not asking as to the facts.

Answer. I am satisfied that in my smaller county it could not have been done.

Question. Does such a state of things enter into your idea in your comparison? Is it possible that such a state of things can occur in this county, two or three hundred negroes being whipped within six months, and nobody punished for it?

Answer. I cannot account for it, except by the inefficiency of the law.

Question. But does such a state of things enter into your mind in making your comparison, when you say that there are no more offenses committed here among a certain number of people than in an equal number in Boston or New York?

Answer. I do not know that such is the precise fact.

By Mr. VAN TRUMP:

Question. The Senator is assuming the number of three hundred cases for the purpose of comparison.

Answer. Yes, sir; I should say that three hundred cases could not occur in any well-ordered district in this State without the punishment of one, unless the judicial tribunal was utterly worthless. In whose hands that tribunal is I do not know, except in my own county; I know in whose hands it is there, and a more vicious and worthless body of men I have never known, with one exception.

By the CHAIRMAN:

Question. But in instituting the comparison you have made, it did not occur to you that such a state of things existed in the territory of which you were speaking, that there were three hundred cases of whipping, and nobody punished?

Answer. No, sir; I did not know the fact.

Question. You did not believe that that state of things existed in the State?

Answer. No, sir. I can well believe that they could go unpunished, but I can account for it only on the ground that the local machinery of justice is entirely worthless; for if parties are brought up, they should be punished, and there are enough here to bring them up. There is no trouble in getting warrants, because warrants are not only issued below for the asking, but even by suggestion; even, most frequently by suggestion.

Question. I do not understand that there is any difficulty in having process issued, or having it executed, but the difficulty begins after they get into court with the jury and the witnesses.

Answer. I will say that, according to my earnest belief, no such body exists in the county where I reside; and I have never, of my own knowledge, witnessed the violation of the law by any number of men combined, except in two instances; those fell under my personal observation. One occurred on the 4th of July instant, a few days before I left home. There were three companies of colored militia mustered in the town of Camden, all armed and thoroughly equipped. The citizens of the town, the gentlemen, and all parties, gave up the town to them, being rather pleased to see them enjoy themselves, because they seemed to be doing so, and doing no harm; they almost left the town. In the afternoon I happened to walk down to the town; these companies were drilling at the court-house, two or three hundred yards from the scene I am about to describe. Two negroes fell to fighting on the pavement or street; a policeman, a white man, who was stationed in the town with his body to protect the place and keep order, went up to stop them; they refused to obey his order. He then told them they would have to go to the guard-house, upon which one of them became very abusive, and they fell into a little fight; another policeman came up and assisted, and they were attempting to carry the rioter to the guard-house, when he became so violent that one of the police, with his baton, struck him a severe blow, and he fell. Immediately the cry was uttered for the militia; parties who were around rushed down to communicate with the militia, and as soon as they were notified that one of their color had been stricken by a policeman, they broke ranks and ran down, hooping and hallooing with great fury. Attempting to seize this policeman, who had taken refuge in the house of an old English lady there, who kept a bakery, they broke down the door with the butts of their muskets; they bayoneted one gentleman in the hand, who was trying to keep them off. They went up-stairs, or would have gone up but for three persons who had got there, armed with pistols; and the stairs being very narrow, they did not risk themselves in there, and they turned back and came off. They went to break into another house, and threatened to burn it down, but by the interference of gentlemen present—the mayor and others, and, I will say to their credit, a few colored people also—they were induced to leave the town without executing their threat, or any further damage being done. That is the only disturbance I saw, except two years ago, but that was long ago; that was a case of firing into the cars.

Question. This grew out of the affray on the ground on the 4th of July, and the colored militia took part, as you have described?

Answer. Yes, sir. I must be fully candid and just in my testimony toward them. I do not think they went to the town with any predetermined purpose to commit this act.

Question. Did the companies, as companies, interfere, or was it the private individuals the companies breaking ranks and going down?

Answer. They went *en masse*, without ranks.

Question. Did the officers encourage them?

Answer. I think some of the officers were among the most violent. So I was informed. I did not hear the exclamation of the parties. I saw one of the marshals who interfered on the side of peace and order.

Question. They were restrained from further violence?

Answer. They were restrained by gentlemen present at the time and gentlemen coming into town, for if they had remained there a collision was inevitable.

By Mr. VAN TRUMP:

Question. Did you learn that any of the white people were encouraging these negroes to this row?

Answer. I heard—but as that would involve the man's name I do not know that it would be proper to make an individual charge, as I did not see it myself. But I think it can be substantiated.

Question. If it was commonly understood, state it.

Answer. It was, there. There are what we call carpet-baggers; but I would prefer not to mention the name.

By the CHAIRMAN:

Question. We would prefer to have the name.

Answer. I do not know that it would be competent for me to testify as to a name.

By Mr. VAN TRUMP:

Question. It would, in the field in which we are pushing our investigation. If there was any white man, carpet-bagger or otherwise, we want his name.

By Mr. STEVENSON:

Question. You said commonly understood. Was it commonly understood by one party, or both parties?

Answer. You would ascertain by knowing the source from which I received the information. I received it from a white man who was one of the parties into whose house they had broken, and he stated to me the fact, as he called it, substantiated, he said,

by four witnesses, that he heard the expression of the white man urging them to burn the back part of the building, and then they would run them out. That is the nature of the charge. It is from this one individual, who gave me the names of the others, and it is for the committee to say whether that is proper testimony.

Mr. VAN TRUMP. That is just such as we have taken.

By the CHAIRMAN:

Question. We have not limited ourselves strictly to the technical rules of courts of justice.

Answer. I should not think it fair for me to charge an individual with a crime so grave as that upon mere hearsay.

Mr. VAN TRUMP. You do not make the charge. You merely give the information you received.

By the CHAIRMAN:

Question. Where a charge of that kind is made against a class it is not fair that the whole class should remain under the charge; and individuals doing such an act should be known. I would prefer to hear the name.

Answer. If such is the direction of the committee I will state it. I received the information from one of the hands upon the cars of the South Carolina Railroad. His name is Barfield. His first name I do not know. The name of the party whom he accused was Frank Goss, supposed to be a very violent and turbulent man in getting up all these disturbances.

By Mr. VAN TRUMP:

Question. Where is Goss from?

Answer. I do not know. I think he is a Frenchman, by appearance. He came to our country.

Question. How long ago did he come?

Answer. After the war. I never knew him before; though, I was away. He certainly was not there when I left home.

Question. Goss was the man who made that expression about burning the back part of the house?

Answer. So far as I am informed, he was.

Question. Did he say or do anything more than that?

Answer. My information stops there. It was the common expectation about the town to see execution by fire.

By the CHAIRMAN:

Question. Can you designate, from your personal observation, that portion of the State to which these acts of violence, let them be either organized or individual, apply; can you designate that portion which has been subject and that portion which has been free from them?

Answer. I can, to some extent. I would not pretend to say that my knowledge is accurate. So far as my observation goes, that portion of the State which has been liable to what I suppose to be associated bodies has been these upper counties. Union, Newbury, and Spartanburgh I have heard of. To what extent I do not know, or whether they have had a raid here or not I do not know; but in these other districts they have seen bodies moving through them. In Chesterfield I have heard of none; nor Lancaster, except on one occasion. Some men committed an act of violence on the border of North Carolina, about Belair, close to the North Carolina line.

Question. Would York be included?

Answer. I have heard of York, and I dare say you have heard there have been movements in York. They are generally up in the border or frontier counties, these seeming organizations or associations of men—I know nothing of them—where they have certainly appeared, and have undertaken, in their fashion, what they suppose to be the administration of justice.

Question. Have the courts of justice been sufficient to bring the perpetrators of these lawless proceedings to justice in those counties?

Answer. I have heard of no convictions.

By Mr. STEVENSON:

Question. Did you mention Chester County?

Answer. No, sir; I mentioned the upper tier of counties.

Question. Chester would fall within those bordering on North Carolina or Georgia; Newbury is lower down?

Answer. Yes, sir; but it is considered one of the upper tier.

Question. You did not mention Greenville or Pickens or Oconee?

Answer. No, sir; I did not hear of any of those counties.

Question. Do you consider Spartanburgh County a mountain county?

Answer. It is generally so considered in the State.

Question. It is an upper county?

Answer. Yes, sir.

Question. There are no mountains in it?

Answer. No, sir; but they approximate mountains closely. It is a Piedmont country, strictly speaking.

Question. Greenville and Oconee are mountain counties?

Answer. Yes, sir. I have stood on the high point of Greenville, and looked down upon this district or county, and it seemed to me to be mountainous. There are mountains, but not very elevated. It is exceedingly rolling.

Question. It does not compare with the other counties as mountain counties?

Answer. No, sir; but I do not judge from personal knowledge strictly. These counties approximate very closely. You will find spurs running out from the main range into them. Gentlemen in Spartanburgh can give you better information than I can on this subject.

Question. Upon your theory that these troubles grew out of the nearer contact and conflict between the poor white class living in this rolling mountain region and the blacks—

Answer. Not in all cases.

Question. Well, so far as your theory does apply, would you not have expected the greater disturbances in these three counties?

Answer. Upon that hypothesis I would, if there were no other causes. I would like to say, Mr. Stevenson, that I do not wish to be put upon the record as stating that all the acts of violence in this State have been perpetrated by the lower class of people, because I do not know it.

Question. Of course you are only giving your conjectures, and that among other causes.

Answer. Nor would I use the offensive term—the lower class of people.

Question. The poor?

Answer. Nor in that form, but I would say those closer in position, closer in relation to them. Their contact is nearer. I do not wish to convey an impression that would be offensive.

Question. I do not mean an offensive expression by saying poor; that is a misfortune only.

Answer. Yes, sir; that is so.

Question. You do not mean that these were committed by the poor class?

Answer. Not strictly. I was accounting to the chairman for the individual cases which he said were in great numbers. I could account for them, as not upon any political ground, but from private grievances.

By Mr. VAN TRUMP:

Question. It was impossible to avoid the proposition as to whether the poor class would not be in sharper conflict with the negro?

Answer. Yes, sir. I could not speak of facts, but I have been so informed.

By Mr. STEVENSON:

Question. You speak of the onerous taxes as another cause of discontent and violence?

Answer. Yes, sir.

Question. Do you mean to imply that the tax-payers do this?

Answer. No, sir; because the tax-payers have been able to pay their taxes; but in many instances the poor people have not. I wish I had the number or list of poor people who have been unable to pay their taxes and have been sold out. Those parties who were not able to pay their taxes have felt with greater rigor the weight of these unjust laws imposed by parties who have no interest, no property, in the State, and pay no taxes themselves.

Question. Where would we get such a list as that?

Answer. I could send you a copy of the Camden Journal containing it. I looked for it when starting, with a view of showing some of these causes. I can transmit to the committee, when I return, a copy containing that list, and you will then see, in the small county of Camden, what an amount of property has been sold in that way. You can also get it from the newspapers here.

Question. But so far as you know, there has been no violence by organized bands in Kershaw County?

Answer. No, sir; but there is a deep discontent there, and in the whole State, on account of its political condition.

Question. Have you had in the county of Kershaw any organization of citizens for self-protection and the maintenance of order?

Answer. Yes, sir. About three years ago a number of us—I among the number—with a view to prevent the formation of any unlawful bodies, for the suppression of violence, and for the maintenance of good order and law in the country, agreed that we would be

present upon all such occasions, and if the young men were inclined to violence we would restrain them.

Question. What form did that association take?

Answer. Nothing but a verbal agreement.

Question. You agreed then, a number of leading citizens —

Answer. To preserve order.

Question. To all act together to prevent the formation of such organizations?

Answer. To prevent the breaking of law in any form, but especially the maintenance of good order in the district?

Question. Was that directed especially against what was apprehended from the colored people?

Answer. From all, yes, sir; but more particularly them, because they were most inclined to disorder. But we had in view all classes when we saw this thing springing up—to restrain the inconsiderate among the white people as well.

Question. And you think you prevented the formation of these organizations there?

Answer. I cannot say we prevented them, but there is a good understanding between the white people and colored people in my district, and it would be capital but for the interference of this foreign element. I call it foreign because it is mixed, coming chiefly from the Northern States, and they are not a class of men at all that we would like to have among us. They are disturbers of the public peace. We are informed very often that they exasperate the black man, and recommend violence upon some occasions, and they are certainly not of that class which would benefit any country. We would be very glad to have the better class come among us and help us with means and population.

Question. What is the political character of that county?

Answer. In what respect?

Question. Which party prevails?

Answer. The radical party, two to one. The Union League has established that party upon a basis that will not be shaken for some time.

Question. Have you had formed there what is called a council of safety?

Answer. None further than this thing I have spoken about.

Question. That was about three years ago?

Answer. About two years ago.

Question. Last summer did you not form a council of safety?

Answer. No, sir; I was not there. I was in Virginia all last summer. If it was formed I do not know it. They had their political party or reform party.

Question. That was intended to be an organization in the "reform party?"

Answer. That "reform party" was a *bona-fide* political party for the reform of the State government.

Question. But an organization within that party?

Answer. I have no knowledge of it if one existed.

Question. From what source did you get your information as to the existence of organized associations, such as you have spoken of, in these upper counties?

Answer. From current report, from the newspapers, and the reported acts of bodies that must have been associated or combined in parties. I have no personal knowledge, of course.

Question. Have you had any information from old and leading citizens of these counties on that subject?

Answer. None whatever.

Question. Have you not met with any in Columbia in convention and otherwise?

Answer. O, yes, sir.

Question. And conferred with them?

Answer. I have met with them once in convention at Columbia, and conferred with them fully and freely upon the political condition of the State, in reference to our taxes, and all incidental matters that sprang up.

Question. Were you at the tax-payers' convention?

Answer. Yes, sir. I was chairman of the executive committee, and I am still.

Question. You met the leading men from all this upper part of the State there?

Answer. Yes, sir.

Question. Did you confer with them about the state of affairs in their counties?

Answer. No, sir, not at all. I had interviews with them.

Question. There was a general conference?

Answer. No, sir; not so far as I know.

Question. But general talk?

Answer. Yes, sir, I dare say. I have not the slightest doubt that conversation took place, but not conference. It was individual talk; not in numbers.

Question. Was nothing said about these organized bands?

Answer. Possibly, but nothing that rests upon my memory. They spoke of Ku-Klux, I know. I know a resolution was referred to my committee in reference to organized bodies.

By Mr. VAN TRUMP :

Question. And in condemnation of them ?

Answer. Yes, sir. I wrote the report myself. I think you will see in the report the same statement. The resolution was offered by Mr. Chamberlain, a republican member, the attorney general of the State. This was not a political body. It was a meeting of citizens with a single view to the saving of taxes and the reform of the State government generally. We spoke of other matters also. We conferred with the executive of the State, and gave advice upon various matters.

By Mr. STEVENSON :

Question. What reason have you to believe that this organization has been repressed ? You stated, I believe, that it had been repressed by the better class of citizens ?

Answer. I said these violences have been repressed, but not the organizations. I was not speaking of organizations. I was answering the Chair.

Question. You spoke of violence by them. How as to that ?

Answer. I do not know as to violence by them, but violence of every kind, I think, has been repressed. But I was not then speaking with reference to that at all. I explained at the same time what I considered the causes which tended to these violences, which will be found to be unvarying among every people everywhere under like circumstances.

Question. I find in the proceedings of this convention a report made by yourself ?

Answer. I submitted that report as chairman of the executive committee.

Question. Did that report on the subject express the views and knowledge of that committee at that time, as far as you are aware ?

Answer. I think so, because it was submitted to them. They discussed the subject, and the information they gave me, according to their directions, I embodied in that report.

Question. Was this the only action taken by the convention on the subject ?

Answer. No, sir ; there was one other resolution adopted by the convention without reference. It was in condemnation of all unlawful, organized secret organizations.

Question. What reason have you for supposing that violence has been repressed ?

Answer. The reason is very manifest to me, that in all cases of disturbance we have counseled peace and good order, both to whites and blacks. I have made speeches to them. I made speeches to the negroes. My own friends and countrymen heard me on the same side. And so of my associates. We have certainly, I think, endeavored, as far as possible, to repress violence and disturbance in the State, and that is the reason I believe we have done it. We have repressed it to a great extent with us.

Question. You speak now of your own county ?

Answer. Yes, sir ; and I have heard citizens from other counties, and have seen their newspapers and the resolutions adopted at their meetings.

Question. Do you know of any such proceedings having been taken in York ?

Answer. I am not aware.

Question. Do you know of any such in Union ?

Answer. I am not aware. I think I remember something of the kind in Newberry.

Question. Do you know of any such in Spartanburgh ?

Answer. No, sir ; but I think there has been individual action of citizens.

Question. Do you think there was in Union ?

Answer. I cannot answer as to Union.

Question. How is it in Newberry ?

Answer. Yes, sir, I think so, in Newberry.

Question. Has there been any such action taken in Chester ?

Answer. I cannot speak positively.

Question. Were you present at the affair at Chester ?

Answer. No, sir.

Question. Do you know whether any citizens of Kershaw were there ?

Answer. Yes, sir ; I heard so. I was in Virginia at the time. My townsman, General Kershaw, was one of the speakers, I have heard.

Question. I mean at the collision at Chester ?

Answer. O, that was subsequent. I do not know anything of that. I know no person who was engaged in it. I heard of it. There was a disturbance during the debate there, and I thought you were referring to that, when Mr. Carpenter was there.

Question. I refer to the collision of the white people of that and the adjoining counties and the militia last winter.

Answer. I have no knowledge of it, and I do not know a human being who was there.

Question. Have you ever made an inquiry as to who commanded the insurgent forces there ?

Answer. No, sir.

Question. Do you not know ?

Answer. I do not.

Question. You do not know anybody who was there ?

Answer. I do not know that I do. I might if you presented their names.

Question. But you do not know of their being there?

Answer. No, sir.

Question. Have you ever inquired who were there?

Answer. No, sir. All my information came from the newspapers.

Question. Your county almost adjoins Chester?

Answer. Yes, sir, very closely. There is one intervening county.

Question. Have you seen any of the leading citizens of Chester since that occurred?

Answer. Possibly I might have met them in the convention. I do not remember at this moment. I am quite satisfied that some of them were there, but I do not remember of having had an interview with them at all. If I did I do not have any recollection of hearing anything in relation to the affair in Chester.

By the CHAIRMAN:

Question. Desiring, in the interest of the peace and prosperity of the whole country, to get as nearly as we can the existing state of things, with its causes, I will put a few questions, to see if I apprehend clearly your view of the present state of affairs. In the first place, I understand you to say that there is very great discontent now existing in the State, because of the condition of both the executive and legislative departments of the State?

Answer. I say the State government. I would go further and say—as you limit the question now by the interposition of that word—I will say, of late, and since the assembling of that convention, Governor Scott has indicated to the people a disposition to relieve them of many of their grievances.

By Mr. VAN TRUMP?

Question. And retrace some of his steps?

Answer. Yes, sir. I saw him myself. As to the executive action, so far as it has gone since that convention, the most of the State has been to that extent relieved as to his action. But with the legislature we see no change, of course, for that has not assembled.

By the CHAIRMAN:

Question. So far as the public complaint heretofore made of the executive is concerned, did not the proceedings of that convention show that a large part of that complaint had been exaggerated at least, and some of it was unfounded?

Answer. I do not think so, sir. I think there was a misconception about that matter. If you speak of the debt of the State, the funded debt of the State, and the liabilities of the State, having been exaggerated—when you come to put the liabilities of the State and the funded debt together—I do not think that they have been exaggerated, nor did the convention think so. But that convention did this: they ascertained, with reasonable certainty, the pecuniary condition of the State, its financial condition, which leaves us very much where we supposed Governor Scott and party had put us, with a liability of eighteen millions of dollars.

Question. The discontent was caused by the executive and legislative departments of the government principally?

Answer. I think so.

Question. And it was charged that they were corrupt?

Answer. Yes, sir; and I think that is admitted by themselves.

Question. Now, that discontent and that charge against both the executive and legislative departments of the government assumed, to a great extent, a party form, did it not, necessarily?

Answer. To some extent, yes, sir. But you will remember this: not entirely so, because there was a movement in this State, set up to be irrespective of party, against the government, for reform.

Question. But I want to get at the existing relations of parties, and ascertain, if we can, the true grievances, so that if we have a remedy in our power it may be applied. Then, on the one side, executive and legislative corruption was charged as the cause of discontent?

Answer. More than that, if you allow me to put in a word—more than corruption. We charge, as a cause of discontent, not only the utter corruption and ignorance of the government, but we charge also its action outside of that, by the arming of the militia, and turning them loose upon the country, and not putting it in the power of the white people to defend themselves in the open way. I think if you examine closely you will discover that these violences that have been alleged throughout the State, by combined parties, commenced here nearly upon the issuing of these arms. They were soon thereafter; certainly, the cases of magnitude that caught my attention began to arise then.

Question. This was one of the specifications of discontent with the executive. But I am speaking of all the causes.

Answer. Yes, sir; they are all causes.

Question. Now, on the other hand, I understand that the republican party of the State, white to whatever extent it is and colored, complain that these acts of violence have been inflicted upon them because of their entertaining republican sentiments and expressing them; that this is their charge, their complaint?

Answer. Yes, sir. Do you ask my opinion on that?

Question. I desire to learn the existing state of things on both sides, and then to have your opinion. They further charge—do they not?—that, although this corruption is charged principally upon the foreigners who have come into your State and the influence they exert upon the negroes, when a native South Carolinian identifies himself with the republican party he is also at once associated with these parties, and, whatever his character may be or may have been, he is at once ostracized because of his connection with that party. Is not that charge made throughout the State?

Answer. Yes, sir, I have heard that charge.

Question. Now, I ask your opinion, as aiding us in this investigation, as to the extent to which that charge is or is not true, as an exasperating element in the community?

Answer. I will say with great candor that the fact that any white man belongs to the republican party of South Carolina, I do not think has been the cause of any violence to any of them; and the best proof of it, Mr. Senator, will be found in the fact that they vote without any instances of that sort, except where you find specific cases alleged of supposed wrong and corruption in individuals. Now, the republicans of Columbia and Camden, that are good men, have never been molested, certainly never by the gentlemen, and never by this supposed body, which I believe exists. It is not, therefore, to my mind, the fact that they are republicans that may have caused any violence or anything of the kind, but the fact that they are supposed to be bad men, or people who are obnoxious from some supposed cause, true or untrue. Therefore it is that these parties take into their own hands this species of revenge. That is my conviction upon the subject, and I think it stands for itself. No republican need fear to go into any part of the State, to go into my house, or to go anywhere, simply because he is a republican. I have never heard of an instance of a human being who was punished for being a republican.

Question. As to the other branch of this question, I desire to have it distinctly answered, as it is made the subject of frequent comment. In many instances these persons are bad men, you say?

Answer. Yes, sir.

Question. And hence they are visited?

Answer. Yes, sir.

Question. When native South Carolinians, of good character, identify themselves with the republican party and undertake to instruct the negroes properly—I mean in their rights as citizens simply, without undertaking to inflame their passions or incite them to incendiary acts—is it true that the public sentiment of the community in which they live associates them, to a great extent, with those bad men, and that they incur, although honest in their political sentiments, the same degree of ostracism and persecution as the other men?

Answer. I cannot say of persecution, but certainly the obloquy. I feel that myself, and I honestly say so. I suppose others do the like. We do not recognize that any of them have gone over from pure and simple philanthropy, because if we did we would aid them. But we see the fruits of their going over, and it brings us to that conclusion; they go over and they wax fat. Another word—

By the CHAIRMAN:

Question. No native South Carolinian can maintain his social status and be a republican?

Answer. Can maintain his status who goes over and at once falls into office.

Question. But joins the republican party?

Answer. I do not say that. Some men join the republican party and are respected, but we see that other and larger number—we call them, in the vulgar phrase, scallawags—and if you will call the roll of them you will see that they, with very few exceptions, have been wholly unqualified for any office in which they have been thrust upon their conversion.

Question. You have anticipated my question, which was, that no native South Carolinian can join the republican party and accept office under it without incurring both ostracism and obloquy from the public sentiment?

Answer. I would not go to that extent. I know good men, my associates before the war, in the war, and in the army, and since, who have accepted offices under the republican government of the State; but they have not joined the republican party. Therefore I would not go to the extent of saying that all those who take office, but all those who are converted to the party and take office immediately, and who are unqualified for it in every way; the natural conclusion is (and it is an inference we draw from the fact) that they ought to lose, as they do lose, the confidence of their former associates.

Question. That is one of the elements of the political future of this State?

Answer. Yes, sir.

Question. Then I understand this to be the true condition of public feeling here, that every native South Carolinian who joins the republican party, and accepts office under it, lays himself open to the imputation of doing so from other motives than those of principle?

Answer. Than those of principle, either of philanthropy or the good of the State. That is my honest conviction.

Question. In that view of public sentiment—and I put it not with the view of reflecting upon that public sentiment, but getting at the difficulty to see if it is open to a remedy—taking the fact that the colored vote is cast, as we all know it is, by class for the republican party, now in the ascendancy in the State, is not that public sentiment itself one of the obstacles to rectifying these very evils that are complained of in the State?

Answer. I do not see how it is.

Question. In other words, how is it possible, with that public sentiment operating upon the native South Carolinians in the State, to get into office, for the purpose of remedying these evils, any others than the class now filling the offices?

Answer. By no other means except where we have local majorities, and where the governor, exercising, I think now, a wise discretion, and for the good of both races, is checking the ignorant and the bad and the mischief-making office-holders, and putting in men who are good, honest, and intelligent, fit for the offices; and they are not republicans either. That will have a tendency to reconcile parties and soften the asperities that now exist.

Question. Does it come to this, that in order to get the State upon a basis of prosperity, it is necessary for the governor to put in office all of that class or party?

Answer. O, no, sir; wherever he finds a good man of his own party he is perfectly acceptable. I called upon Governor Scott as I came up here, and stated to him that his late action was gratifying to the citizens, and also stated to him that it was a matter of perfect indifference to us with whom he filled his offices if they were honest and intelligent men, without regard to party; and that is the feeling of us all.

By Mr. VAN TRUMP:

Question. Then, in order to reform the administration and make it good, it is necessary to put out dishonest men and put in honest men?

Answer. Yes, sir; competent and honest men. If you were to go over the State and see what I have seen, the utter inefficiency, utter want of ability and qualification of every kind for the most important offices, you would see with your own eyes and believe that there does exist a real, reasonable, natural cause for the opposition.

By the CHAIRMAN:

Question. Does not that result, in a large measure, from the refusal of the native white population to take part in the original reorganization of the government? Was not that a really important cause?

Answer. I am not aware of any positions being tendered until of late. As a matter of course we could not go into the republican party in the formation of a government. It was a question whether we should surrender all principle and go for the sake of office, of filling the offices of the State, into the republican ranks, even if we had received them. But they never approached us.

Question. I do not speak of their refusal to take part in the republican party, but refusing to participate in the preliminary steps to the reorganization of the government—in the convention?

Answer. O, we could not get there.

Question. Many of course were disqualified?

Answer. The voters would not have sent us in many districts. I speak of it generally. We could not have got there.

Question. We have been informed by the testimony, in one instance, that in Fairfield County the colored population, who were in the majority, did request persons who were eligible to take the offices, and they declined to do it, saying that they would not be elected or hold office by negro votes?

Answer. It may be so. I am only giving my opinion.

By Mr. STEVENSON:

Question. What is the effect upon the standing of what you call a carpet-bagger a man, I mean from the North, who comes into your county or in other counties, so far as you know, where the negroes have a majority, and is immediately, or very soon after his arrival, put into office. How do your people regard such a man?

Answer. It depends altogether upon his character. We regard the very fact of his coming here and being put into office by the negroes as a natural result of the anomalous condition of things existing here; but whether we are hostile to him or not depends upon his character.

Question. Suppose you know nothing of his character?

Answer. I should say it was *prima facie* evidence that he was not the person we wanted to represent us.

Question. You would be opposed to that sort of a man?

Answer. Yes, sir; certainly and naturally.

Question. Have the negroes, among themselves, a sufficient number of competent men of intelligence and experience to fill the offices?

Answer. I should say not. I should say they have some; but when you ask if they have a sufficient number to fill the offices of the State with intelligence, I do not think so. I should say further, and I will do it in justice to them, that I think many of them, though incompetent to fill judicial stations, or any other stations requiring the exercise of much knowledge or information, are quite honest, and I think would fill such stations with more integrity than nine-tenths of those we have in now, and I would trust them; but that they have not the ability or the intelligence.

Question. Does it not resolve itself into this, that the majority of the people are of a class without the experience and intelligence necessary to administer affairs?

Answer. I think so.

Question. And that the minority is so determinedly opposed to the policy and principles of the majority that they refuse to help them, to join with them, or go toward them?

Answer. To the practices of the majority that has been the cause, and the principles of the majority in general.

Question. I speak of the principles of the republican party.

Answer. The principle which separated the parties in the contest last summer was moral more than political in its aspect; one party seeking the alliance of all good men in the State for the reformation of abuses, so patent and enormous as those existing in the State. They agreed to put aside all points of difference in relation to Federal matters, and to meet upon the common ground, in the State, of a good honest government, and put in republican or democrat, or anybody else. They were willing to meet them in that way; but the majority in the State was increased by the appeals of this party in power and consolidated, drawing the lines of demarkation still more broadly between them, and the effort failed entirely, so that it was not the principles in federal politics which prevented a union of good men in this State. They offered that union. It was only in the State administration that they felt irreconcilably opposed to them.

Question. I do not wish to go at large into that question, but is it not true that, while the republicans adhered strictly to their nominations, the democrats adhered likewise?

Answer. There were no democratic nominations.

Question. But the reform nomination?

Answer. Yes, sir, we had agreed—

Question. You had agreed not to run as democrats?

Answer. We agreed to run one of their own party.

Question. Mr. Carpenter?

Answer. No, sir. We offered to run Cardoza, who was a colored republican. I say we, but I should say their party, because I was not here.

Question. You mean the democratic party?

Answer. No, sir; the "Reform Party."

Question. But it was the democratic party acting as the reform party?

Answer. But other elements were in it.

Question. You ran Mr. Carpenter?

Answer. Yes, sir.

Question. Do you really think there was a broad line of distinction between Judge Carpenter and Governor Scott, such as would justify calling that the reform party?

Answer. So far as I know anything of Mr. Carpenter, I should say yes. We had witnessed Governor Scott's administration in all its phases, ramifying the State and presenting but one complexion. Judge Carpenter had presided on the bench with ability and satisfaction, and the lawyers said he was acceptable. We took him and would have taken any good republican.

Question. Did you nominate upon any State or county ticket any colored men?

Answer. Yes, sir; I voted for one; but he was a good man, an honest man. There were two nominated in my own county.

Question. Do you know any others?

Answer. Yes, sir.

Question. I ask to what extent you advised with the colored majority?

Answer. We met them. Our men were defeated, though. They nominated a portion of the colored people that agreed with those who, having witnessed the rascality of the other party, denounced it. One of them, a member of the legislature, told me that the character of the stealing was so enormous, that he could not stand it and he joined the reform party; and his own people presented a man to be voted for by the reform party, and they voted for him upon honest grounds, showing that they were in earnest.

By MR. VAN TRUMP:

Question. When your examination commenced, in answering to the chairman, you said that you had known two instances of violence which came under your personal knowledge, and you related one but, I think, not the other?

Answer. I think I mentioned that the other was not of recent date, and you are now, I believe, inquiring into the present condition of affairs.

Question. How far back was that?

Answer. I think it was in the spring of 1868.

Question. We have been examining into 1868 pretty largely here.

Answer. I am not positive whether it was in 1868 or 1867. I was on my way to Charleston in the cars of the South Carolina Railroad. We approached a station known as Lewisville, between Columbia and Orangeburg. The car in advance in which I was, stopped there, and I observed a band of armed colored men. I walked to the door and said to my companion, Captain De Saussure, of Charleston, "These fellows mean mischief." "Why do you think so?" he inquired. "Did you ever see countenances so truculent and resolute?" I asked. He said he did not perceive it. We passed on. The next car contained some person who was obnoxious to them. I do not know the cause. It contained, also, a member of the Freedmen's Bureau, I think, or some of their organizations. They fired into that car with loaded guns, and the bullets fortunately hit nobody, but struck immediately over the head of the officer of the Government.

Question. The Freedmen's Bureau man?

Answer. Yes, sir; whose name I heard at the time, but have forgotten it. These are the only two instances in which I saw parties in combination. That was in Orangeburg County.

Question. Can you tell us the name of the obnoxious person?

Answer. No, sir; you will find in the newspapers of that date an account of the affair. The matter made the impression upon my mind at the time that things were getting troublesome.

Question. The chairman asked you whether at any time, in a question in reference to a convention or some election, the democrats had not refused to act, and lost the opportunity then to prevent many evils which have since occurred. As a matter of history, and not that it is particularly significant in the issue which we are trying, I will state that Governor Orr, in his testimony, adverted to that fact, and criticised it with much bitterness. I ask if you know—for I do not—whether or not Governor Orr was the chief instrument in producing that result and inducing the democrats to refrain from going to the polls?

Answer. I am unable to state, because it has passed out of my mind. I paid very little attention to politics at that date. But I do not think with Governor Orr that that was the cause of the condition of affairs, or that it could have been in the slightest degree modified, if every man, qualified for office both in a political, moral, and intellectual aspect, had presented himself for the votes of the qualified white voters and negroes in all the districts; for where they had these majorities he would not have been elected. I will say further that if a white man, in the districts where the white population predominates, had presented himself, and been sent to the convention, I will affirm as my candid opinion that it would not had the slightest effect upon the movement. He would have been isolated there. Things were predetermined by parties who were out of the State, and no effort of any small minority, however respectable, could have changed the current of events, or modified the constitution or the character of the government since the constitution was adopted. I think that is patent. It proves itself, if you will look at the state of affairs.

Question. As a question of political strength in any organized legislative body, would it have been different at all from what it is now, there being about one hundred colored and republican members against twenty-four or twenty-five democratic members?

Answer. I think not. I think this: that they would have had some restraining influence, perhaps, if they had been men of ability, and courage, and character. They might have had some restraining influence, but not to any extent sufficient to modify the laws that were made.

Question. Why, even in Congress, if you have read the proceedings, do you see that we, who now number one hundred members, have any restraining influence over the rampant majority in that body?

Answer. I presume that it was determined against the way in which the minority wanted to go.

Question. I ask whether the twenty-four or twenty-five members in the present legislature of South Carolina have any influence at all in checking the enormous corruptious that exist in the State government?

Answer. Not the slightest.

Question. Why did you suppose, then, if you did suppose, that any twenty-four or

twenty-five men who might have been elected to the first convention would have had any more influence than the present minority?

Answer. I said before they would not have had one iota of influence in effecting the action of the government then or its action since. I think that is patent.

Question. Did there assemble a body of men in the State capital, some time in May last, called the tax-payers' convention?

Answer. Yes, sir.

Question. Were you a member of that body?

Answer. Yes, sir.

Question. I suppose you recollect the members pretty well; I will ask you to look over that list and say whether that is not a list of men of the highest character and intelligence in South Carolina? (Referring to the list of delegates to the tax-payers' convention.)

Answer. I know all the parties on that list, with one or two exceptions of young men.

Question. Is it or not a most extraordinary body of men for intelligence?

Answer. It is the best body that I have ever seen assembled in South Carolina, except the secession convention of 1860, which was the ablest body of men I have ever seen together. That would indicate my opinion of their intelligence.

Question. Was it principally democratic?

Answer. Yes, sir; but not altogether.

Question. I have, from information I received at Columbia, underscored five or six names as republicans. Will you look at them and see if they are republicans?

Answer. Mr. George Shrewsbury, I saw him in the convention; his political complexion I do not know. He was a colored man and seemed to be a very respectable one. Mr. Myron Fox is a republican; Mr. C. H. Baldwin I do not know; I may have been introduced to him, but I do not remember him. Mr. Greenfield I know was a republican; Mr. Chamberlain was a republican. Of the invited guests who were admitted to the privileges of the floor, I see the name of Governor Scott, who is also a republican, of course.

Question. Did the governor attend?

Answer. I was informed that he was present, although I do not remember to have seen him. Yes, that convention contained our best material, Judge.

Question. What was the occasion of the calling of that body together?

Answer. It was the enormous taxation and extravagance of the government; the manifestation of terrible corruption which had come out in the history of the previous session; a corruption confessed; indeed, I may say that they went so far as to elevate roguery and rascality to the dignity of a virtue in their own minds, thinking a man an ass who did not accept the price that might be offered for corruption.

Question. I see you have annexed a statement of the public debt of the State to your proceedings, excluding \$2,854,679 78 as representing a portion of the debt in bonds issued for the military defenses?

Answer. Yes, sir.

Question. Excluding that, the present amount of the State debt you put at a little over twenty millions of dollars?

Answer. The liabilities, you mean?

Question. Funded debt and contingent liabilities \$20,045,151 19?

Answer. Yes, sir.

Question. And that in October, 1867, the debt was \$5,780,792 99, leaving the difference between the State debt October, 1867, and the present State debt, funded and contingent, excluding the amount incurred for military defenses, at \$14,264,358 20; I will ask you whether that is the best result that that body could reach from their examination of the condition of the finances of the State?

Answer. I believe it was, sir, to my personal knowledge of how that committee proceeded. Excepting in so far as you see they state, I know not. It was a very able committee, presided over by one of our ablest financiers, Mr. Trenholm, and I think that is the result of their labors; I take it as such.

By the CHAIRMAN:

Question. You were not on the committee?

Answer. No, sir.

By Mr. VAN TRUMP:

Question. Can you account for what became of the immense sum constituting the difference between the debt in October, 1867, and the present, to wit, over fourteen millions of dollars; has one mile of railroad or canal or has one single school-house been built since the war?

Answer. Not out of that fund. I believe I have built the only school-house in my section for the negroes; I am not sure of it. I know I built one for them in 1866.

Question. Since you have mentioned the subject of building a school-house I will ask you, in your intercourse with the people, have you observed any marked or systematic

hostility or opposition among any considerable portion of the white inhabitants of South Carolina to a fair and reasonable system of common-school education for and among the negroes as a separate class of the population?

Answer. None at all. I had no idea that you had that question in view or I would not have suggested it. I have seen not only no opposition, but I can give you some personal knowledge of the gentlemen of my community—the men of my community, the class of which you speak. We have facilitated, as far as possible, the education of the colored population, with the belief that, if it is possible to educate them to a standard of intelligence, it is our highest interest, as well as our bounden duty. We are for making the experiment. If we have to live with them we had better have them educated and good citizens.

Question. We have not the means here, at least I have not, of looking into this school matter in South Carolina in detail, yet we have certain general facts which will show something of how this matter was managed. I understand there are thirty-one counties in South Carolina?

Answer. Yes, sir.

Question. And by the law a school commissioner is appointed for each county at a salary of \$1,000 per annum?

Answer. I think you are stating it correctly, but I have no special and particular knowledge of these matters.

Question. Have you any knowledge of what the prescribed legal duties of a school commissioner are?

Answer. No, sir.

Question. It certainly cannot be more than superintending?

Answer. There is a superintendent of education for the State. I am not able to tell you much about their system of education, for I have not read more than two acts of the legislature of South Carolina since this new government was established. I have had no occasion to do it. I am out of public life and out of politics, and I have had no occasion to look into these things. I employ a lawyer. I judge, however, of these things by their effects.

Question. If the fact is that the legislature, as a practice, appropriates \$50,000 a year for education, \$31,000 of that must go to compensate these commissioners?

Answer. Yes, sir.

Question. Their duties cannot go beyond a general superintendence of schools in counties?

Answer. No, sir.

Question. What is the extent of the establishment of school-houses in South Carolina?

Answer. I cannot answer you.

Question. Can you state as to the number of school-houses and scholars taught in your county?

Answer. I cannot give you that, for I have not ridden through the county since the war.

Question. Is there any other fund which goes to the school fund in South Carolina except that very indefinite and uncollectable tax called the poll-tax?

Answer. That is all, I think; and it is very rarely collected.

Question. Hardly collected at all off of the colored population?

Answer. Yes, sir; I mean that.

Question. Who is F. F. Warley, of Darlington?

Answer. He is a lawyer who resides at Darlington.

Question. Is he a democrat?

Answer. Yes, sir.

Question. Do you recollect of his offering those resolutions?

Answer. Yes, sir; and that the convention adopted them unanimously

Mr. VAN TRUMP. They are as follows:

“Resolved, That this convention earnestly exhort the people of the State to abstain from all acts of violence, calculated to supplant the regular and due administration of justice, and to rely upon the law and other proper agencies for the redress of those grievances of which they justly complain.

“Resolved, That his excellency Governor Scott having expressed a desire to appoint good men to office, it is but due to him that the citizens of every county should communicate freely with him in reference to the fitness and qualifications of his appointees, and give him the opportunity to remove those who have shown themselves to be inefficient, unworthy, or unfit for the offices they hold.

“Resolved, That we recommend the people throughout the State, without respect to political opinions, to assemble in primary meetings, and earnestly and respectfully petition the legislature to abolish the numerous useless offices which are sustained by taxation, to repeal the many obnoxious and unequal laws which encumber our statute books, and to enact such laws as will secure to the tax-payers a fair representation in the legislature.

“Whereas the material welfare of the property-holders and tax-payers of this State

demand the faithful enforcement of the laws for the protection of life and property; and whereas violence and crime, if permitted to go unpunished, tend inevitably to de-range the industry, paralyze the enterprise, and destroy the national welfare of our State: Therefore,

“Resolved, That the executive committee of this convention be instructed to inquire into the alleged violence now prevailing in several counties of this State, and to report upon a plan for the better execution of the laws against such violence, and the better protection of all citizens in their lives and property throughout the State.”

The WITNESS. These resolutions were referred to the committee over which I presided, were reported by me from the committee to the convention, and were adopted unanimously. Mr. Chamberlain moved the last resolution of inquiry into the violences and suggesting a remedy, with the preamble thereto above given.

Question. Is that your report?

Answer. Yes, sir. [The report is as follows:]

“The executive committee, to whom was referred the resolution of Mr. D. H. Chamberlain, of Richland County, directing the said committee ‘to inquire into the alleged violence now prevailing in the several counties of the State, and to report upon a plan for the execution of the laws against such violence and the better protection of all our citizens in their lives and property throughout the State,’ ask leave to report:

“They have considered the subject with the deliberation its importance demands. They have learned with regret that violence has prevailed, to a greater or less extent, in several counties. But they feel bound to say, with much satisfaction, that in by far the larger number of the counties of the State not a single instance of such violence has been brought to their attention.

“Bad government, corruption in high places, set the example of moral decadence and disregard of law, which is often readily followed by those upon whom the laws are intended to operate.

“Your committee are constrained to believe that larcenies and incendiarism practiced by ignorant, deluded and bad men, suggested in many instances and encouraged by a class of much worse and more responsible, were among the initial causes of the first cases of violence. Afterward, it appears, there followed instances of corporeal punishments and homicides, perpetrated by unknown persons upon citizens, and even upon a few officials of the Government, who seemed to have become obnoxious to many in the communities wherein they lived, on account of supposed injustice, fraud, and oppression. These are all lamentable truths, which the committee feel called on unequivocally to deplore and condemn.

“Your committee believe that an effectual remedy for these evils will be found in good government—the removal of all dishonest, incompetent, and bad men from office, and the appointment thereto of men (no matter of what party) who are honest and competent and who feel the obligations which official station should impose, and who will promptly and faithfully execute the laws.

“JAMES CHESNUT,
“Chairman Executive Committee.”

Question. What did the president of the convention mean in his speech made to the convention, in taking the chair, when he referred to two taxes being made in a single year?

Answer. He alluded to this fact: There was a deficiency, I think, for the year 1870. The first tax which was paid did not produce enough to cover it, and the legislature or governor directed the levying of a second tax in November to complete the matter.

Mr. VAN TRUMP: I desire to have that document (Proceedings of the Taxpayers' Convention) attached to the testimony of this witness in order to make it intelligible.

The WITNESS. I think that the action of that convention would represent the feeling of the best portion of the people in this State.

By the CHAIRMAN:

Question. Is that an authentic copy of the proceedings of the convention?

Answer. Yes, sir; it was published by order of the convention, being printed at Charleston. (See copy of proceedings of the taxpayer's convention at the end of the testimony of this witness.)

By Mr. VAN TRUMP:

Question. You said in reply to the chairman that really the commencement, so far as your knowledge extends, of these sporadic acts of violence by disguised men was about the time of that terrible and criminal act (depending on the motive) of issuing arms to the militia; arming the negro militia of South Carolina?

Answer. Yes, in conjunction with other matters, which I have stated, as they struck my attention at the time. I was not aware and did not hear of any acts of violence by men alleged to be organized prior to that period, and I couple with it the fact of the extensive burning of barns, stables, and gin-houses, dwelling-houses, and

things of that sort. They were all things that seemed to be nearly contemporaneous, and I regarded it at the time as a sort of wild retaliation with a view to repression. But it went on and assumed larger proportions and culminated in these things as you find them.

Question. Taking into view the peculiar character of the negro population of South Carolina, just emerging from a period of slavery of more than a century, was not that extended arming of that population without any instructions at all to them, in the absence of instructions, a fact most suggestive to them?

Answer. We thought so and I think we had reason to think so. The State was thrown into a fever of excitement upon the turning loose of these armed bodies with those select weapons.

Question. Taking that fact in connection with the governor refusing to arm any companies of white men?

Answer. Yes, sir. I do not state that without qualification. I think as a general proposition it is correct; there were some companies of white men organized, and I am not sure but one was allowed to be armed; but it was afterward disarmed. I think there is some qualification to be made to the general proposition.

Question. Was not that white company, to which you allude, which was armed and afterward disarmed, company "H," second regiment of South Carolina militia?

Answer. I do not remember the precise instance.

Question. I see by the last report of the adjutant general of the State, just published, that there were fifteen or sixteen regiments fully organized and equipped with Winchester rifles. Is that a fact?

Answer. I presume it to be true. I know three companies in my immediate vicinity were well armed and equipped. I would like now to couple with that, in order to do justice to Governor Scott, this statement, that he promised me as I came through that he would have them immediately disarmed.

Question. Did he not promise that months ago?

Answer. That was promised a year ago, but I think he will do it now.

Question. I see by some of these official documents that there were issued to single persons sometimes as high as ten thousand rounds of ammunition?

Answer. Yes, sir.

Question. In footing up the number of new Winchester rifles delivered to these negro militia companies, I see it amounts to over fifteen thousand?

Answer. Yes, sir; I think it was sixteen thousand.

Question. What do you know about this legislation in reference to the Greenville Railroad?

Answer. That subject was referred to the committee over which I presided, and I proceeded to investigate the matter, when another committee took jurisdiction of it also. They had a cognate matter and so we referred it all to them. I only proceeded to such an extent as showed me that in the interests of the Greenville Railroad that company had sought to impose upon the State an additional burden of some millions of dollars.

Question. Was it not four millions?

Answer. I think it was two millions in addition to what the State already had in bonds. That they further sought in their interest in the legislature, as the testimony showed, to cancel the obligation of the State upon four millions of bonds which had been issued by the Blue Ridge Railroad Company. In that condition of affairs the Blue Ridge Railroad Company became alarmed and persons in their interest came down to Columbia and blocked the game of the Greenville Railroad Company, by the purchase of senators sufficient to defeat their bill. At that stage of the proceedings the two companies combined in their action in the legislature and they proposed, in order to obtain from the legislature a reaffirmation of the indorsement upon the four millions of the Blue Ridge Railroad, to relinquish the prior lien which the State held on the Greenville Railroad. They induced the legislature to pass an act incorporating these two features in view of a union of the two companies—a consolidation of them. But after they had accomplished their own purposes, both companies, having plundered the State in this manner, declined to consolidate at all, and have not done so to this day. Besides that, if I remember rightly, the State held stock in the Greenville Railroad Company. It had been the custom of the country to transfer the funds in the stocks from one company to another in order to encourage the building up of new companies. The Greenville Railroad Company had the stock owned by the State. The government of South Carolina (by which I include both the executive and legislative, because the judiciary had nothing to do with it,) by legislative proceedings had that stock sold. The parties who obtained it at this sale became the purchasers of the interest of the State in the Greenville Railroad at the ridiculous sum of about two and a half dollars per share. I am not certain about that, as to the amount. This was the information which was before the committee, and the money with which the State's property was bought was the money of the State itself.

Question. From certain hypothecated bonds in New York?

Answer. Yes, sir; that was the testimony.

Mr. STEVENSON: If we go into this subject ought we not to prove it by those who know the facts?

Mr. VAN TRUMP: That is the testimony before the committee, I understand.

Answer. Yes, sir; but it is not testimony under oath.

Mr. STEVENSON: There must be official documents, and the officers of the road are accessible, and all those whose knowledge concerning this transaction is personal and direct.

The CHAIRMAN: I could not undertake to rule out any question by any gentleman on this matter, because the inquiry has taken a very wide range; wider perhaps than prudence would have dictated in the outset. But we probably will get through the sooner not to restrain the inquiry.

The WITNESS: Mr. Chairman, I would greatly prefer that the statement, if taken at all, should be taken with that degree of perfect accuracy which can be obtained from documents and papers. I am speaking without papers and upon recollection of the testimony given before a committee, and it is possible that I may err in amounts.

Mr. STEVENSON. I do not object, but merely make the suggestion.

By Mr. VAN TRUMP:

Question. State also whether the South Carolina legislature did not release a first lien on some of those railroads, thereby endangering if not totally destroying the ultimate security of the State in those bonds?

Answer. The legislature of South Carolina, so far as I am informed, did release a prior lien upon the property of the Blue Ridge Railroad, but it was stated by the counsel (and the fact was not denied) that there was a prior lien notwithstanding that in the shape of a mortgage, so that, in point of law, so far as the interests of the parties were concerned, there was no damage to the State; but at the same time the legislature had nothing to do with that matter; they had relinquished the lien of the State.

Question. They ran the risk of all legal questions that might arise?

Answer. Yes, sir.

Question. Was it understood from the statement taken before you that some of the officers of the State were engaged in the purchase of this stock of the Greenville Railroad?

Answer. Well, sir, if that question is competent, I must answer.

By the CHAIRMAN:

Question. Before it is answered, I will ask if the testimony which was taken by your committee is reported in the proceedings of your convention?

Answer. No, sir, not that I am aware of; but I am inclined to the opinion that in the discussion of the general subject by the committee of eleven on this subject, allusion was made to it.

By Mr. VAN TRUMP:

Question. Was any statement of testimony before your committee made tending to show that some of the State officers were engaged in the speculation?

Answer. O, yes, sir.

Question. Unless you can think of some other matter under the responsibility of a witness to tell all you know, I am through with my inquiries.

Answer. In regard to the efforts alleged to have been made to intimidate the negroes in the exercise of the elective franchise, I can speak from personal knowledge of my own county; others may speak of other places. I have been at all the elections, and they have been conducted with perfect order and propriety, with the exception of great frauds—double voting and voting by persons under age—but still with great peace and quiet. I have never known the first instance where any white men have attempted to intimidate a negro in the exercise of the elective franchise in Kershaw District or County, and I have attended every election. To the negroes who were working for me, when they came to me for leave to attend the election, I said, "Go, and vote as you please;" because we had no chance. There was no use in intimidating; it was not practicable. There was no attempt to change their vote, and no desire to intimidate in that county.

Question. In relation to intimidation in South Carolina, General, have you known or heard since the war of any open resistance to the judicial process of the country, either State or Federal?

Answer. I have heard, sir, of resistance to the judicial process of the State in a recent case.

Question. A single case?

Answer. A recent case that happened in Barnwell County, and was by persons in the employ of Mr. Paul Hammond, who assaulted the judicial officers when attempting to arrest them.

Question. Were they colored men?

Answer. Yes, sir. I have never heard of any other; I have certainly never heard of any in my county. I have never known a process to be resisted at all.

By the CHAIRMAN:

Question. The corruption which is attributed to the legislature, you speak of, I suppose, as all the citizens here do, from the general charges in the newspapers, from reputation, and not from any actual knowledge of the guilty parties in the legislature?

Answer. I cannot say that.

Question. If you have the actual knowledge, please to state who are the parties affected?

Answer. I am not willing to give their names now, because it involves a prosecution, and I do not care about beginning now.

By Mr. VAN TRUMP:

Question. A prosecution of what?

Answer. It involves an action contemplated before the court.

By the CHAIRMAN:

Question. You spoke of twenty-four or twenty-five members of the present legislature who are democrats?

Answer. Yes, sir.

Question. In these charges of corruption have they been exclusively confined to members of either party?

Answer. I have not heard the exclusion made, but it has been charged boldly upon the legislature and generally upon the others. There may be instances in the democratic party where the charge has been made, though I have never heard of one.

Question. The republican party having a majority in the legislature is of course held responsible for all general legislation?

Answer. Yes, sir.

Question. But have not the charges which have been made affected individual members of both political parties in the legislature?

Answer. I have heard no particular specification as to the party, but the legislature. The members I have reference to are of the republican party exclusively.

Question. Have there been no charges against any member of the democratic party for participating in corruption in the legislature?

Answer. I do not think I have heard of one. I do not remember the individual. That is my recollection.

Question. Speaking of this Greenville Railroad, the complaint made there, as I understand from the tenor of your testimony, is, so far as the State is concerned, first, the very low price at which the stock was sold to a few, and, secondly, the legislation?

Answer. Second, the funds of the State itself, or funds raised by hypothecation of bonds of the State, were used for the purchase of the stock by these individuals.

Question. At what price did the individual stockholders sell their stock, do you know?

Answer. I do not; it became very low, I think.

Question. Is it not a fact that the large body of stockholders sold their stock at the same price as that at which the stock of the State was sold?

Answer. I think some of it was sold very low. I think that some parties in interest went around and bought up, representing the low value of the stock, and they induced their friends to sell at a low price, and bought the stock in for those very parties who bought all that stock.

Question. I think it has been stated to us that it was by Governor Orr and Mr. Reed and a third director that the sale of the private stockholders was made?

Answer. There were three of them.

Question. Are there any party charges against these gentlemen of their acting in a partisan spirit? They were both directors of the Greenville Railroad?

Answer. Well, sir, I have heard it condemned as a very unclean thing.

Question. But the point I make is this: that Judge Orr belonging to one party and the other director to the other party, that charge had no political complexion?

Answer. No, sir.

Question. They were both members of parties, and opposite parties?

Answer. Yes, sir.

Question. But this stock was bought up from the stockholders at low figures, and the State stock was sold at the same time?

Answer. I have no information of the sum at which it was bought. I would take it from their testimony. I think upon this matter of the Greenville Railroad business, if it is of consequence, the committee had better examine those gentlemen who understand the thing.

Question. Did you own any of the stock?

Answer. No, sir.

Question. There is a public report on the subject?

Answer. Yes, sir. It was supposed, in other words, if I may go so far as to express the matter, it was supposed to be a regularly arranged affair, with a view to make fortunes for the parties engaged. It was to degrade the State stock in order to make a profit for the parties engaged.

Question. As to the legislation which followed subsequent to the purchase, was it any more favorable to the Greenville road than the legislation which has been extended to other railroads in the State both before and since the war?

Answer. They rather elevated a second-class mortgage to a first-class.

Question. As I understand it, there was a mortgage which gave the State priority of lien for stock which it held?

Answer. Yes, sir.

Question. Had it advanced anything?

Answer. I think it was old bonds, but I am not familiar with railroad matters.

Question. Then a subsequent mortgage was authorized, and the priority of lien was relinquished, but not the debt?

Answer. Precisely.

Question. Had not the same thing been done for other railroads; for the Charleston and Savannah Railroad?

Answer. I have heard so.

Question. Were not the privileges extended to the Savannah and Charleston Railroad as great as those given to the Greenville Railroad; and is it not to-day, to a great extent, exempt from taxation?

Answer. I think the privileges were quite as large; but I do not think they ever put the State as second to any creditor.

Question. Were not large privileges accorded to it, and was not that done before the war?

Answer. Yes, sir; very large.

Question. Has not a considerable part of the feeling against the Greenville Railroad arisen from the fact that it is now owned and controlled principally by men who have come here from the North?

Answer. I think not. I think when the truth comes to be known in reference to that feeling toward persons coming from the North—I think I can speak for the entire intelligence of the State, that we would be glad to receive among us intelligent gentlemen of integrity, and especially, if they would bring enough money to help us, and buy out our lands, we would be very glad to see them. We have no such prejudice against the honest and intelligent portion of any part of the world. We are glad to get them.

Question. Do you consider, in itself, this aid to the Greenville Railroad an improper transaction?

Answer. Do you ask whether I consider the action in regard to that railroad as prejudicial to the State or improper?

Question. I ask whether the aid extended to the Greenville Railroad was, in itself, an exceptionable act for the legislature to do under all the circumstances?

Answer. I think so.

Question. In point of incurring the debt?

Answer. In point of hazarding the State's interests in the hands of reckless speculators who were using and were to use the funds of the State in this reckless manner; hypothecating bonds of the State for their own individual purposes; and not because they were gentlemen from abroad at all, but the act itself was considered nefarious.

Question. The fact is that the gentlemen chiefly interested in that railroad are from the North?

Answer. I think so but apart from that I wish that ten thousand gentlemen with as many million of dollars would come, if they were honest and industrious.

Question. Apart from the expediency of the measure, is there any evidence that it was carried by corrupt means sufficient to justify the charge?

Answer. Yes, sir.

Question. Was that a party question at all in the legislature?

Answer. I think the action of the legislature was by party.

Question. The movement was made by these parties outside?

Answer. Of course the legislature could not have been corrupted without corrupters.

Question. But when it came to voting upon this question of aid to the Greenville road, did the legislature vote by party?

Answer. I think so. I think that will appear by the record. I think you will see a protest there in that document. I considered it myself strictly a party movement.

Question. In relation to the debt I desire to ask one thing. I have heard it suggested since I have been in the State, with reference to these State bank notes, that they constituted a part of the State debt. Was not a considerable part of the issue of State bank notes issued in carrying on the war on the part of South Carolina?

Answer. Yes, sir; to some extent, but not mainly. I happened to be in a position where that subject was brought to my notice, because I was in control of the military department of South Carolina in 1862. I was, by appointment of the convention, called, or my style was, "chief of the military department," and I had the use of all the funds of the State in the support of the war in this State; and we carried that on chiefly after 1862 and during 1862 with confederate money. The issue of the State was but a handful to effect the purposes we had in view.

Question. Can you tell us how much of the circulation of that bank for which the State credit was pledged was actually debarred by the constitutional amendment from payment?

Answer. I cannot speak of that.

Question. I believe the circulation was over a million; was it not?

Answer. I would not like to speak of that, for I cannot speak with accuracy.

Question. Has any complaint been urged against the executive or legislative branches of the government, the legislative for passing, and the governor for approving a measure which pledged the credit of the State to the payment of a debt of which a part was prohibited by the constitution—has there been any complaint on that score?

Answer. I have not heard it specifically.

Question. As to those burnings which you say led to these violences, did any of them occur in this northern tier of counties?

Answer. Yes, sir; I speak from information derived.

Question. Was that one of the causes that led to this state of affairs?

Answer. Yes, sir; they seemed contemporaneous.

Question. In the election of 1868, or prior to that, were not the white population armed to a great extent?

Answer. They were armed as far as they could get their fowling-pieces, but they were not organized. Every man had his arms. I had mine—sporting-pieces.

Question. Was there not a large importation of rifles into the State prior to that election?

Answer. I think there was an importation of arms immediately afterward; but no; I cannot say there was an importation, in general, of arms. Gentlemen who desired arms imported them. I cannot say whether it was before or after the election. I am very frank to say that the people of South Carolina felt apprehensive of their condition with this population turned loose, and lashed into fury by constant speeches before this time, and then this arming following, and their seeing everywhere burnings and robberies and persons being killed. I can mention instances of killing, and of white people killing them also. In that condition I felt it my highest duty to protect my own house, and I did prepare arms and have my own arms now.

Question. In view of that, and without judging of motives, I ask you, was it not alleged last year that the negroes were apprehensive of an attack upon them at the polls by persons in arms? I do not ask whether it was true or not, but was not that given as a reason for arming the negroes to whatever extent they were armed last year?

Answer. Possibly so. It may have been the allegation made by Governor Scott and his friends.

Question. As a matter of fact, was it not the reason assigned; I do not ask now whether it was the true reason?

Answer. I have heard that statement and seen it in the newspapers.

Question. Prior to the election had the negroes used those arms for any purpose of violence?

Answer. Yes, sir.

Question. Where?

Answer. They were shooting cattle in my country constantly; they were in the woods; they infested my plantation constantly.

Question. That was but private violence, and I am speaking of organized violence.

Answer. No, sir; that was private violence. There was no armed organization in my country. There was an organization called the Union League, which was in full force at that time. There were some burnings, &c., but they were instances of individual violence. There were cases of violence upon the white population below me.

Question. In the inquiry of Judge Van Trump, he assumed that these were all Winchester rifles; when in conversation with the adjutant general, in Columbia, he told me that that was a prevailing mistake, and I see by the official report that they are all designated rifle-muskets.

Answer. The Winchester has been imported to a great extent.

Question. But were the negro troops armed with them?

Answer. They were; all I saw armed had a splendid weapon; it was a Winchester rifle. I am familiar with the weapon.

Question. The adjutant general told me that there was but one company in the State armed with the true Winchester rifle.

Answer. He may put some little hitch upon the word "true;" but I examined those in the hands of my employés, and am familiar with the weapon. It was the Winchester rifle.

Question. I understand you to say that an organization formed among the gentlemen of your own county was followed by the fact, whether attributable to that or not, that there was no violence in that county by the young men?

Answer. That I may not be misunderstood, I should like to have the exact words used which I did say. I said that a number of gentlemen agreed, verbally, and acted

together on several occasions, to suppress incipient riots. It was a voluntary verbal association among gentlemen.

Question. That was followed by peace and good order ?

Answer. Yes, sir ; and I think we started with an advantage in our county. I know I addressed them, as did my associates, General Kershaw and others, tendering them amity and justice, and the maintainance of all their political rights, urging them to peace and industry, and offered them aid to the extent of our ability. It had an admirable effect upon them. But we were succeeded by speakers on the other side, and they destroyed the effect, in a great measure, which we had produced. Still the seed did sprout to some extent. But we were followed by Randolph and other republican leaders, who did not accept the spirit in which we met them ; and that spirit was still further crushed out by Whittimore, and Bowen, the bigamist, more especially, and others, and by negro speakers besides, so that all was done that could be done to lash this poor ignorant people into fury against those white people with whom they had to live.

Question. So far as its effect is concerned on the white people——

Answer. It has been good. I think they follow the lead of intelligent gentlemen to a great extent, possibly more so than in any other part of the State.

Question. When corruption in office was complained of another voluntary convention of gentlemen assembled in the capitol, and the result of that was an improvement in the affairs of the State ?

Answer. Yes, sir ; I think so.

Question. Now, bringing to bear more immediately upon this question of violence that principle of public sentiment, is it not your belief that a properly-organized effort on the part of the influential and intelligent men of each county where these outrages have occurred would in a great measure suppress them ?

Answer. It would have that influence to a great extent, I think. I am not sure but what they have been made to some extent—in many instances I think they have been made—but how far they have operated to diminish violence I cannot say. I presume they have had that effect, but still you must never lose sight of the other fact, that in all countries where you find people who have been accustomed to self-government, and whose institutions are suddenly and rudely subverted, discontent will naturally arise, and secret associations for their own protection be formed against their supposed jeopardy of life. Such associations will be formed under such circumstances all the world over.

By Mr. VAN TRUMP :

Question. And I ask whether necessarily those who do not belong to such associations, but are affected by the general causes which you have specified, do not, under such circumstances, become inactive and indifferent ?

Answer. Yes, sir ; of course. But our wish is peace.

Question. State whether this arming of the negro militia did not commence last summer and go on up to the time of holding the election in October.

Answer. I cannot speak specifically as to when the arms were placed in their hands, but it was during that period, sir.

Question. By the official documents of the State government the dates, so far as they are given, to the official receipts show that it was from May to October ; but many of them have no dates, but are blank receipts ?

Answer. I would rather, as the record is at hand, that it should be consulted upon such points. If there was an honest, intelligent government, the trouble would cease with both parties.

By Mr. STEVENSON :

Question. On the subject of the State debt I would like to see if we can distinguish a little more clearly. I refer you to the report of the committee of eleven. Judge Van Trump asked you whether there had not been an increase of the debt since 1867 of over fourteen millions of dollars. Are you aware that eleven hundred thousand dollars was for the payment of the interest on the old debt ?

Answer. You will see the fuller statement there printed, and I prefer to answer by referring to that. My knowledge is entirely derived from the financial men at the head of the committee.

Question. That is what is stated here.

Answer. I presume it must be correct.

Question. I desire to see how far your answer to the judge's statement can be relied on.

Answer. I take it for granted that Mr. Trenholm is correctly informed, having no knowledge of it myself.

Question. I see also an item in that sum of \$1,258,550 for funding bills of the Bank of the State of South Carolina. That is of the old bills of the State bank ?

Answer. Is that in the comptroller's report ?

Question. That is in this report of the convention of the tax-payers, in the statement of the public debt which is appended to it.

Answer. My only information is derived from those papers. I know nothing about it myself. I therefore refer you entirely to that statement, as I am not sufficiently informed in reference to the financial condition of the State to answer such questions.

Question. I see that \$700,000 of the direct debt of the State is what was incurred for the land commission?

Answer. Yes, sir; it was considered to be a very curious affair.

Question. Said to be corruptly administered?

Answer. Yes, sir.

Question. But the plan itself was not objected to as a partisan measure?

Answer. O, yes, sir. We had no idea of that business.

Question. Do you mean that the democrats were opposed to it?

Answer. The democratic papers of this country were opposed to the system they organized there.

Question. Are they opposed to the land commission?

Answer. I am opposed to it.

Question. Do you know whether the democrats in the legislature were?

Answer. I do not know. We have had no party platform on it.

Question. The principle was simply to buy land at the market price?

Answer. That was not the scheme.

Question. That was the intent; was it not?

Answer. No, sir; I think not.

Question. But it was the apparent intent, as that intent would be gathered from the language of the act?

Answer. I suppose so.

Question. The apparent intent was to buy land at the market price in South Carolina, which is now very low?

Answer. Yes, sir; very low.

Question. And sell it to poor people?

Answer. But to come to the true intent, you will find it different.

Question. I refer to the legislative intent, as shown by the act.

Answer. The real intent, as announced by the members of that body, was by taxation to produce confiscation of the property of the State.

Question. I do not ask for the intent which individual members may have had, but I speak of the intent of the law which a court would derive from construing the law?

Answer. The court would not go back to the motive, except under certain circumstances.

Question. You understand what I mean by "apparent intent?"

Answer. If you will show me that act I will see whether it is the apparent intent or not.

Question. Then you are not advised of the tenor of the act?

Answer. No, sir.

Question. You have not examined the statute?

Answer. No, sir.

Question. There would be these deductions to be made, then, the payment of the interest on the old debt, the funding of the State bank bills, and the expenditures for the land commission?

Answer. I would like to see whether that deduction had not been already made, or whether it would be so considered in the report of the committee; that is, whether that is not a statement coming from some State officer without indorsement by the committee. [Examining the report of the tax-payers' convention and the appendix thereto.] I would rather you would derive it from the document itself.

Question. The actual debt of the State is stated here at \$13,204,222 77.

Answer. Yes, sir.

Question. And the liabilities are given as additional.

Answer. Yes, sir.

Question. And they go to make up the sum stated by Judge Van Trump?

Answer. Yes, sir; I take that for granted.

Question. Do you know what part of the liabilities have occurred since 1867?

Answer. Not without referring to that paper.

Question. Here is an item: "South Carolina Railroad bonds payable in 1868." It does not appear when they were issued. When were they issued?

Answer. I cannot answer as to that.

Question. That amounts to \$2,093,312 40. Do you know whether the liabilities assumed for the Charleston and Savannah Railroad bonds were assumed prior to or after 1867?

Answer. I do not.

Question. That amounts to \$505,000. Here is also a liability: "for Savannah and Charleston Railroad bonds for \$245,750, under the act of 1869 payable in 1889." I find

here also \$75,000 "for Laurens Railroad bonds, payable in 1879." Do you know when that debt was assumed?

Answer. No, sir.

Question. I find "Spartanburg and Union Railroad bonds payable in 1878 and 1879, secured by first mortgage, \$350,000." Do you know when that was assumed?

Answer. No, sir.

Question. Also, "Greenville and Columbia Railroad bonds and certificates of indebtedness, payable in 1881, 1882, 1883, 1888, under acts of 1861, 1866, 1869, secured by first mortgage, being \$1,426,545 80," instead of two millions, as you seemed to think it was.

Answer. Yes, sir. That is not the one I alluded to. I alluded to the effort to get that two millions, and they were stopped by the Blue Ridge Railroad, as I stated in my testimony.

Question. When was that obligation incurred to the Greenville Railroad? It says here under acts of 1861, 1866, 1869.

Answer. I could not contradict the record. I do not know anything about it.

Question. Is it not true that the obligation was assumed prior to 1867?

Answer. I could not tell. You will remember that in my testimony in relation to all these railroad matters I did not profess to speak with accuracy.

Question. Is not this the fact about that Greenville and Columbia Railroad, that all the legislation that was had was simply this: that whereas before this action the State had assumed this liability and held this statutory lien on the road, the State relinquished that, and the bonds were secured by a first mortgage; that a statutory lien was waived and a first mortgage lien given to secure the bonds of which the State was the indorser?

Answer. I did not so understand it. My impression was—I do not like to speak on the subject, of which I am not informed, and therefore my testimony ought not to be taken without the documents before me.

Question. With reference to this land commission, did this convention take any action upon it?

Answer. I think it did. I think you will find some reference to it there. It did not proceed from my committee, and I did not watch it especially. I remember of something being said on the subject, and I think there is a resolution on the subject.

Question. This was a convention of tax-payers?

Answer. Yes, sir. Without regard to party at all. All were invited, and those who were sent by the other party were received in the same manner.

Question. Do you know, as a general fact, how the real estate is held in this State? In what quantities?

Answer. Do you mean under what tenure?

Question. No, sir; but whether in large or small tracts?

Answer. Generally in large tracts. There are some small tracts. I cut up one farm and made nineteen for small purchasers, some to negroes and some to whites.

Question. What do you mean by large tracts?

Answer. Ranging from three thousand acres to six thousand acres. I sold ten thousand acres in one month.

Question. Are these lands generally held by those who held them before the war—these large tracts?

Answer. Yes, sir. I may say they generally are. There have been a great many instances of compulsory sale, and some by the State that have been bought and divided up.

Question. What part did the land-owners take generally as a class in the war?

Answer. They were in the war.

Question. On the southern side?

Answer. Assuredly; certainly.

Question. You took part?

Answer. Yes, sir. I was in the war from the firing of the first gun until the moment of the surrender.

Question. How much landed estate have you?

Answer. Now?

Question. Yes, sir.

Answer. I do not think I have a solitary acre.

Question. You have sold it all?

Answer. All of my own. I am representing, though, a very large interest in my father's estate. I am holding my father's estate for others.

Question. To what amount?

Answer. Well, sir, I should say to the extent of five thousand acres—about that. A good many of my colored fellow-citizens have bought tracts under me; some of my neighbors, known to me.

By Mr. VAN TRUMP:

Question. You were better than this land commission?

Answer. Yes, sir; I took the trouble to get it up; I had my lands resurveyed and marked, and spent weeks in the woods; had the lands neatly platted, and I found purchasers to a considerable extent.

By Mr. STEVENSON:

Question. In speaking of the corruption in the legislature, do you mean to say that you have personal knowledge of any corrupt act by any individual member?

Answer. Not personal knowledge. That would imply that I either saw the thing done, or was instrumental in doing it, or something of the kind. But I have never been in or near the legislature since the war.

By the CHAIRMAN:

Question. One fact about your State debt I wish to learn.

Answer. I would prefer to refer you to the printed documents on that matter, for that is authority, and I am not.

Question. It is only as to a general fact. What is the distinction between the "State debt" and "liability?" Is the liability only contingent liability in the nature of a guarantee that they are to pay if the railroad to which the credit is pledged does not? Is that what you call liability?

Answer. No, sir; I think not. Bonds have been issued.

Question. In aid of railroads?

Answer. Not only that, but there has been another bond by an act of the legislature, which they call the "sterling loan bill," the object of which, as I am informed, was to take up all these questionable issues of the State and liabilities of the State and place them—cover them under this new loan. That is one of the obligations of which we have warned all persons that by no means which we can use, lawfully, will we pay them.

By Mr. STEVENSON:

Question. That was to consolidate the floating debt?

Answer. The object was to exclude all the debts which were acknowledged to be good and binding upon us as a people, to exclude them from this new loan, and cover all others with the new loan.

By the CHAIRMAN:

Question. Do I understand that the thirteen millions of the new loan represents a debt about the validity of which there is no dispute, but that the remaining portion is liable to contest?

Answer. I think you will find that matter stated with exactness in the report of the committee. It is in the report of the committee.

By Mr. VAN TRUMP:

Question. While you say you have no personal knowledge of the corruption of the legislative and executive departments of the government, is it not a fact that, without distinction of party, so far as the republican party has embraced any white men in South Carolina, the country is rife with charges of corruption against not only the legislature, but almost every executive officer, and that they have never been denied?

Answer. I have heard the charges.

Question. In newspapers, on the stump, and in every way?

Answer. Yes, sir.

By the CHAIRMAN:

Question. Do you say they have never been denied?

Answer. I cannot say so.

By Mr. VAN TRUMP:

Question. Have you ever seen any public denial?

Answer. I have not.

Question. If a man like Mr. Chamberlain, the attorney general, swears that he believes that the legislature and a portion of the State departments of the government are largely corrupted, would not that be entitled to some consideration?

Answer. I should think so. I believe him implicitly. I do not think there can be a shadow of a doubt about the corruption of that body. It is notorious. It is like the fact of a marriage.

By Mr. STEVENSON:

Question. Do you mean to be understood as broadly asserting that there are undenied charges of corruption against every individual member of the State government?

Answer. No, sir; I did not state that. But I stated that the corruption of the legis-

lature, as a body, was notorious; and of a notoriety as little questioned as would be the notoriety of a marriage between two persons.

By Mr. VAN TRUMP:

Question. As a small specimen of the legislative acts of South Carolina, did you ever hear that two days before the adjournment of the last legislature, although they had been sitting late at night in order to get through with the business before the 7th of March, two days before that they took a recess to attend a horse race, where a match was made up for \$1,000 for the speaker's horse, and that in the race the speaker's horse was beaten; the legislature having assembled in session on the last day, a negro member got up, and upon his motion the legislature appropriated a thousand dollars for the speaker?

Answer. I believe that is so.

By the CHAIRMAN:

Question. Was that to reimburse him?

Answer. It was so stated.

Question. What was the purpose stated in the bill?

Answer. I think it went under the form of a compliment. But if you are going into an examination of the speaker you had better take the account of his proceedings in the purchase of guns.

By Mr. STEVENSON:

Question. Were you a member of the United States Senate before the war?

Answer. Yes, sir; I was there. I left in 1860. I resigned my commission the first among the Senators from the Southern States. I resigned my commission upon the election of Mr. Lincoln. I think I resigned my seat in the Senate some time before the State seceded, and the State seceded on the 20th of December, 1860. I resigned my seat to the extra session of the legislature. I still remain an unpardoned rebel.

Question. And unrepentant?

Answer. And unrepentant. I say with great candor that I fought with convictions of duty and thought that I was right; and think now that I was right then, though I have grounded arms and surrendered upon terms of capitulation. I gave up arms and have kept my terms of parole, but the Government has not kept its part of the terms or stipulation. I have violated no law of the country where I live, and intend to not violate any hereafter unless a state of affairs arises which human nature cannot endure.

By Mr. VAN TRUMP:

Question. You have had about all human nature could stand?

Answer. Pretty near, but we have not yet reached that point. I am one of the few forever disqualified.

By Mr. STEVENSON:

Question. Your disqualification might be removed?

Answer. I shall never seek it.

Question. You are a voter, I believe?

Answer. I am.

By Mr. VAN TRUMP:

Question. But a man would not feel much inclined to vote where he is disqualified from being voted for?

Answer. Well, we must do the best we can for our poor country.

[The proceedings of the tax-payers' convention referred to in the testimony of Hon. James Chesnut, page 172-4, and directed to be appended to his testimony, are as follows:]

PROCEEDINGS OF THE TAX-PAYERS' CONVENTION OF SOUTH CAROLINA,
HELD AT COLUMBIA, BEGINNING MAY 9, AND ENDING MAY 12, 1871.

Resolved, That a committee of three be appointed by the chair, who shall have charge of the publication of the proceedings and the defrayal of the expenses of this convention; and that the secretaries of the convention be authorized to pay over the funds in their hands to the said committee.

Committee.—R. D. Senn, Thomas Y. Simons, Myron Fox.

OFFICERS OF THE CONVENTION.

President.—Hon. W. D. Porter, Charleston.

Vice-presidents.—Gen. M. C. Butler, Edgefield; Hon. C. W. Dudley, Marlborough; Hon. D. H. Chamberlain, Richland; Hon. Gabriel Cannon, Spartanburgh.

Secretaries.—W. M. Conners, Lancaster; Myron Fox, Charleston.

COMMITTEES.

Executive committee.—James Chesnut, State at large; Johnson Hagood, State at large; Thomas Y. Simons, State at large; C. W. Dudley, first district; E. B. C. Cash, first district; F. F. Warley, first district; A. P. Aldrich, second district; Henry Gourdin, second district; H. C. Smart, second district; William Wallace, third district; R. L. McCaughrin, third district; T. J. Goodwyn, third district; J. L. Westmoreland, fourth district; A. H. Davega, fourth district; A. B. Woodruff, fourth district. (*Added by resolution:*) John L. Manning, M. L. Bonham, A. Burt.

Committee of eleven to confer with governor, (resolution of General Butler.)—M. C. Butler, Cadwallader Jones, Gabriel Cannon, B. W. Ball, W. H. Wallace, Richard Lathers, A. M. Lowry, G. A. Trenholm, E. J. Scott, W. B. Smith, T. C. Weatherly.

Committee of seven on election and suffrage laws, (resolution of General Gary.)—M. W. Gary, C. W. Dudley, William Wallace, B. H. Wilson, J. P. Thomas, E. S. Keitt, J. H. Screven.

Committee to memorialize general assembly on cumulative voting, (resolution of Mr. Hoyt.)—James A. Hoyt, D. H. Chamberlain, M. W. Gary, Edwin J. Scott, W. H. Wallace, B. H. Wilson, Henry Gourdin.

Committee to prepare report on condition of the State since the war.—A. P. Aldrich, Armistead Burt, J. L. Manning, M. C. Butler, W. D. Porter.

Committee to consult with governor on postponement of November tax, (Colonel Simons's resolution.)—Thomas Y. Simons, M. L. Bonham, William M. Shannon, James H. Giles, J. P. Richardson.

Committee on expenses and publication of proceedings.—R. D. Senn, Thomas Y. Simons, Myron Fox.

Committee to confer with legislative investigating committee.—Edwin J. Scott, Richard Lathers, William W. Wallace.

Committee to report plan to restore credit of the State.—Thomas Y. Simons, F. F. Warley, James Chesnut, Gabriel Cannon, M. C. Butler.

Counselors to report on matter of mortgage of Blue Ridge Railroad, &c.—Mr. Porter, Mr. Conner, James Chesnut.

Counselors to report on matter of postponement of State lien on Charleston and Savannah Railroad.—Mr. Pressley, Mr. Lord, Mr. Inglesby.

DELEGATES IN ATTENDANCE ON THE CONVENTION.

Abbeville.—Hon. Armistead Burt, B. Z. Herndon.

Anderson.—J. B. Sitton, James A. Hoyt.

Barnwell.—Gen. Johnson Hagood, T. J. Counts.

Beaufort.—Col. H. C. Smart, Maj. J. H. Screven.

Charleston.—Chamber of Commerce.—Hon. W. D. Porter, Hon. Geo. A. Trenholm. Board of Trade.—Col. Richard Lathers, Hon. Henry Gourdin. Citizens' delegates.—W. B. Smith, Hon. Thos. Y. Simons, George Shrewsbury, Myron Fox.

Chester.—J. S. Wilson, H. H. Davega.

Chesterfield.—Gen. E. B. C. Cash, A. M. Lowry.

Clarendon.—Hon. John L. Manning, Hon. J. P. Richardson, Jas. E. Tindall.

Colleton.—J. J. Fox, J. K. Terry.

Darlington.—Col. F. F. Warley, Edward McIntosh.

Edgefield.—Gen. M. C. Butler, James H. Giles, Gen. M. W. Gary, O. Sheppard, A. P. Butler, Hon. M. L. Bonham.

Fairfield.—T. W. Woodward, Gen. John Bratton.

Georgetown.—Hon. Benj. H. Wilson.

Greenville.—Hon. J. L. Westmoreland.

Kershaw.—Hon. James Chesnut, Col. W. M. Shannon.

Lancaster.—W. M. Conners, J. B. Erwin.

Laurens.—Col. B. W. Ball, G. W. Sullivan.

Lexington.—J. N. Huffman, F. S. Lewie.

Marion.—Wm. Evans.

Marlborough.—Hon. C. W. Dudley, Hon. T. C. Weatherly.

Newberry.—Col. Ellison S. Keith, R. L. McCaughrin.

Oconee.—J. A. Doyle, W. C. Keith.

Orangeburg.—Hon. T. J. Goodwyn, D. J. Rumph, Col. A. D. Frederick.

Pickens.—W. E. Holcombe, D. F. Bradley.

Richland.—Columbia Board of Trade.—Edwin J. Scott, R. D. Senn. Citizens' Delegates.—Robert Adams, Col. Wm. Wallace, J. H. Kinsler, C. H. Baldwin, E. W. Wheeler, W. K. Greenfield, Hon. D. H. Chamberlain.

Spartanburgh.—Hon. Gabriel Cannon, A. B. Woodruff, Col. John H. Evins.

Sumter.—John B. Moore, F. H. Kennedy.

Union.—Gen. W. H. Wallace.

Williamsburg.—David Epps.

York.—John R. London, Cadwallader Jones.

Delegates admitted to privileges of the floor, under resolutions of the convention.—Colonel J. B. Thomas, of Richland; Hon. A. P. Aldrich, of Barnwell; Hon. W. D. Simpson, of Laurens; Colonel C. H. Suber, of Newberry; A. D. Goodwyn, of Orangeburg; W. H. Trescott, of Greenville; His Excellency Governor R. K. Scott; Hon. D. H. January, of St. Louis; Hon. H. V. M. Miller, of Georgia.

FIRST DAY'S PROCEEDINGS.

TUESDAY, May 9, 1871.

The tax-payers' convention of the State of South Carolina, held at Columbia 9th, 10th, 11th, and 12th days of May, A. D. 1871.

In pursuance of a call made by the Charleston Chamber of Commerce and the Charleston Board of Trade, the delegates to the convention assembled this day at 11 o'clock a. m., the meeting being held in the senate chamber of the State-house.

On motion of General M. C. Butler, from Edgefield, Hon. T. J. Goodwyn, of Orangeburg, was called to the chair, and called the convention to order.

Mr. Robert Adams, of Richland, was appointed temporary secretary.

On motion of Colonel T. Y. Simons, of Charleston, the convention took a recess for thirty minutes.

Upon reassembling, Mr. B. W. Ball, of Laurens, moved that a committee of nine be appointed to wait on delegates and examine credentials.

The motion was subsequently withdrawn.

The temporary chairman requested delegates to come forward and enroll their names at the secretary's desk, when the following delegates appeared:

Anderson.—J. B. Sitton.

Barnwell.—Johnson Hagood, T. J. Counts.

Beaufort.—H. C. Smart, J. H. Screven.

Charleston.—W. D. Porter, G. A. Trenholm, George Shrewsbury, Thomas Y. Simons, Richard Lathers, Henry Gourdin, Myron Fox.

Chester.—J. S. Wilson, A. H. Davega.

Chesterfield.—E. B. C. Cash.

Darlington.—F. F. Warley, Edward McIntosh.

Edgefield.—M. C. Butler, James H. Giles, M. W. Gary, O. Sheppard, A. P. Butler.

Georgetown.—Benjamin H. Wilson.

Greenville.—J. L. Westmoreland.

Kershaw.—James Chesnut.

Lancaster.—W. M. Conners, J. B. Erwin.

Laurens.—B. W. Ball, G. W. Sullivan.

Lexington.—J. N. Huffman.

Marion.—William Evans.

Marlboro.—C. W. Dudley, T. C. Weatherly.

Newberry.—Ellison S. Keith, R. L. McCaughrin.

Orangeburg.—T. J. Goodwyn, D. J. Rumph.

Richland.—Columbia Board of Trade.—Edwin J. Scott, R. D. Senn. Citizens' delegates.—Robert Adams, William Wallace, J. H. Kinsler, C. H. Baldwin, E. W. Wheeler, W. K. Greenfield, D. H. Chamberlain.

Spartanburgh.—G. Cannon, A. B. Woodruff.

Union.—W. H. Wallace.

York.—John R. London, Cad. Jones.

Hon. James Chesnut, from Kershaw, offered the following rules of order, which were adopted:

RULES OF ORDER.

1. The officers of this convention shall be a president, four vice-presidents, and two secretaries, to be chosen by ballot, the persons receiving the highest number of votes to be declared elected.

2. The president shall appoint a committee of three from the State at large, and three from each congressional district, to be called the executive committee, to whom shall be referred, without debate, all memorials, motions, resolutions, and other propositions bearing on the general business of the convention, said committee to appoint its own chairman.

3. The president shall appoint a door-keeper and messengers.

4. The vote on all questions shall be taken by congressional districts, each county in a district being entitled to two votes, except on a call for the ayes and noes, which may be ordered by any seven members.

5. The debates and business of the convention shall be regulated and governed by the rules of order governing the United States House of Representatives.

6. No member shall occupy the floor longer than one hour, except by consent of the convention; nor shall any member speak more than twice to the same question, the second speech not to exceed thirty minutes.

7. Each member introducing a resolution, or other proposition, shall indorse on it his name and county.

Mr. B. W. Ball, of Laurens, moved that a committee of nine be appointed to report permanent officers.

Mr. B. H. Wilson, of Georgetown, moved as a substitute, that the convention proceed at once to ballot for permanent officers. After debate by General M. C. Butler, Colonel T. Y. Simons, Colonel Wm. Wallace, and Messrs. Ball and Wilson, the substitute was adopted by a vote, on division, of 21 to 21.

In accordance with the rules of order previously adopted, the convention proceeded to the election of a president, four vice-presidents, and two secretaries.

Mr. Chesnut nominated Mr. W. D. Porter, of Charleston, for permanent president.

Mr. Butler nominated General M. W. Gary, of Edgefield, for permanent president.

Mr. Gary declined the nomination and said:

I am here not as an aspirant for any office within the gift of this convention, but as a representative of the people of Edgefield. Since the results of the war have been so disastrous to us, I must confess that whatever ambition I might have had previous to that time, I have none now. I am, therefore, unwilling that by the use of my name the harmony of this convention should be disturbed. I do think, at a time like the present, when we are oppressed we should present a united front; we should have no differences between us. Actuated by these feelings, I must decline the nomination.

The following gentlemen having been regularly nominated, were on motion declared unanimously elected as officers of the permanent organization:

President.—W. D. Porter, of Charleston.

First vice-president.—M. C. Butler, of Edgefield.

Second vice-president.—C. W. Dudley, of Marlborough.

Third vice-president.—D. H. Chamberlain, of Richland.

Fourth vice-president.—Gabriel Cannon, of Spartanburgh.

Secretaries.—Myron Fox, of Charleston, and W. M. Connors, of Lancaster.

Mr. Chesnut moved that a committee of three be appointed to conduct the president elect to the chair. The motion was carried, and the temporary chairman appointed as such committee Messrs. Jas. Chesnut, B. H. Wilson, and Thos. Y. Simons.

The president, upon taking the chair, said:

GENTLEMEN OF THE CONVENTION: I thank you for this compliment. It is prized the more highly, because I see around me so many of the old familiar faces, so many of the good men and true, to whom South Carolina in her better days was accustomed to confide her honor and interests, and who are as faithful to her now as they were in those other days. My only regret is that the occasion of our meeting is not a more happy one. To protest against wrong, to rebuke corruption in high places, and to be obliged to take measures for the purpose of saving ourselves from impending and irretrievable ruin, may be a necessary duty, but it is not a pleasant one. As this duty has been placed upon us, let us discharge it fairly, manfully, and with fidelity to the great interests committed to our charge.

The fundamental law of the State and of the United States secures to the people the right to assemble peaceably, and to seek, by all lawful means, the redress of their grievances. It is admitted by fair-minded men of all parties that there are great public grievances; and it is the hope, and the determination, if possible, to redress these grievances, that has called into being this convention—a convention unprecedented in the history of our State; a convention which seeks for the holders of property and the payers of taxes a voice and a representation in the councils of the State. We have no legislative power; we are only an advisory body; but we can inquire and investigate, we can collect and embody information, and can advise the people as to the measures which we deem necessary and proper for their security in the future. Let us deliberate and act in all fairness and justice. If we nothing extenuate, let us set down naught in malice. While we are true to ourselves, let us be just to all men, and so demean ourselves in this great exigency of our affairs, as to secure for our cause the sympathy and support of good men in every part of the country.

The first great wrong is the fearful and unnecessary increase of the public debt. An extraordinary increase is admitted on all hands. The people who have to pay these obligations, those I mean who own the property and pay the taxes, are entitled to know the amount and character of the public indebtedness; not merely the actual debt, but all contingent liabilities. A painful uncertainty rests over this matter. Let it be probed to the bottom. If the debt has been overstated, it will be a great relief to the people to know it. When a clear light is let in upon this matter, we shall know where we are, and be the better able to face the situation and its responsibilities.

Next, the applications of the public moneys have been wild, reckless, and profligate. This is without question; and perhaps never in the history of any people has this profligacy presented a bolder or more shameless front. Corruption here does not hide itself in secret places and dark corners; it stalks abroad, it flaunts itself in the light of day, it assumes the part and bearing of virtue, and openly boasts of its achievements. The end of these things, if not rebuked and checked, will be not only utter demoralization, but certain bankruptcy and ruin.

The direct logical result of increased debt and reckless expenditures is excessive taxation. This we have with a vengeance. Not only is the annual tax increased manifold, but by act of the late session of the legislature two tax levies are required to be paid within the limits of one year. This is an intolerable burden, and is calculated, even if it be not intended, to bring about a wide-spread confiscation of property. And the worst feature of the matter is the curious and anomalous fact, without parallel in the history of any representative government, that they who lay the taxes do not pay them, and that they who are to pay them have no voice in the laying of them. This is the actual practical operation of the thing. Can greater wrong or greater tyranny in republican government be well conceived? Less evils than this have produced revolution. Indeed, taxation without representation has been the turning point of many a revolution.

The credit of the State is and can be dearer to none than to us. It has been the habitual policy of our people to keep the public credit not only untarnished, but unsuspected. We mean not repudiation; but we do mean openly and in the most solemn manner to give notice to the world that the credit of South Carolina has been strained to the utmost limit, and that whatever obligations hereafter issued may be taken by capitalists, must be taken at their peril.

Let me admonish you to be prudent and wise; to avoid party politics, and to act with fairness and justice as well as firmness. To every fair-minded man who is willing to put the stamp of reprobation upon corruption, and to go in good faith for economy, retrenchment, and an honest administration of public affairs, we extend a welcoming hand. All such are our friends, and should be cordially welcomed to our ranks.

The late war left this people almost impoverished. They had a sincere faith in their cause, and they gave to it of their means and resources with prodigal liberality. Their money and their investments perished in their hands. Upon the issue of the war their whole slave property was wrested from them at a single stroke. If they had land, they had no labor and no means to cultivate it. Never was there on the face of the earth a people more entitled to sympathy and generous treatment than the people of the South at the end of the war. What treatment they did receive from those into whose hands the powers of government fell, let this convention and its proceedings proclaim. In the name of that people, much abused, deeply wronged, and nearly ruined, I call upon you to summon up such wise and prudent counsel, such patient, moderate, and resolute bearing and action, as will secure for their cause the confidence and support of good and true men throughout the land.

The chair is ready to receive any propositions for the further organization or business of the convention.

Mr. Johnson Hagood, of Barnwell, offered the following resolution, which was agreed to:

Resolved, That Mr. J. P. Thomas be invited to a seat on the floor, and to participate in the deliberations of the convention.

Mr. James Chesnut, of Kershaw, offered the following resolution, which was agreed to.

Resolved, That the Hon. A. P. Aldrich be invited to a seat on the floor of the convention, and to participate in the deliberations of the body.

Mr. M. W. Gary, of Edgefield, offered the following resolution, which was agreed to.

Resolved, That the privilege of the floor of this convention be tendered to the Hon. D. A. January, of St. Louis, Missouri.

Mr. M. C. Butler, of Edgefield, introduced the following resolution, which was agreed to:

Resolved, That a committee of eleven be appointed by the chair to confer with his excellency Governor Scott, in pursuance of the fourth resolution of the Chamber of Commerce and Board of Trade of the city of Charleston, and report to this convention in writing or otherwise.

Also the following, which was agreed to:

Resolved, That the Hon. Mr. Miller, United States Senator from the State of Georgia, be invited to a seat on the floor of this convention.

Mr. G. Cannon, of Spartanburgh, offered the following resolution, which was agreed to: *Resolved*, That it be referred to the committee of eleven to inquire of the governor how many and what amount of bonds he has signed under the various acts authorizing the same, and what disposition has been made of said bonds.

Mr. B. W. Ball, of Laurens, offered the following resolution, which was agreed to :

Resolved, That it be referred to the committee of eleven to confer with Governor Scott and investigate and report to this body to what extent State and county officers have been unnecessarily increased since the organization of the State government in 1868, and with the view to retrenchment and reform, and to what extent they might be dispensed with.

Mr. Richard Lathers, of Charleston, spoke as follows on the resolutions of General M. C. Butler and Messrs. G. Cannon and B. W. Ball :

Colonel Richard Lathers said that he felt that it would be proper for him, as a representative of the Chamber of Commerce, to state the views entertained by himself and other gentlemen at some length, to the end that the objects of the convention might be clearly understood.

By the reconstruction policy, he continued, a system of government was instituted in the State which is without example in the history of civilization for fraud, ignorance, and oppression. The rights of property were ignored, intelligence disfranchised, laws and usages abolished, and the legislature, and indeed every function of the judiciary and government, State, county, and city, was exercised (with few exceptions) by freed slaves without education, and white adventurers without conscience or the least sympathy in the rights and interests of those they undertook to govern. The few exceptions in the way of honesty or capacity which brighten the dark picture of legislative depravity more frequently justifies the conservative claims of the colored man to a patriotic regard for his native State, than the production of any well-grounded hope of a practical reform on the part of the overwhelming majority, whose aim seems to be to acquire wealth by the most unblushing corruption.

Indeed the members of the senate and house of representatives, as well as the officials, do not hesitate openly to charge each other with fraud and corruption; and there is a well-settled tariff for legislative action of this kind most accurately graduated.

A considerable portion of the last session of the legislature was consumed in mutual criminations of this kind, and one of the senators actually proclaimed his independence of investigations of fraud and corruption on the ground that his own frauds would bear investigation quite as well as those of his accusers, and the challenge was not accepted. The governor of the State, in his veto of a bill for legislative expenses the last session, says: "I regard the money already appropriated during this session and the sum included in this bill, amounting in the aggregate to four hundred thousand dollars, as simply enormous for one session. It is beyond the comprehension of any one how the general assembly could legitimately expend one-half of that amount of money." And the matter turned out to be a fraud, as the governor insinuates. Last winter a committee of both branches of the legislature was appointed to investigate the frauds and black-mailing connected with the Blue Ridge Railroad legislation of the previous session. The governor, the main witness, appeared before this committee, and accused the former legislature of all sorts of villainy. Alluding to the bill granting aid to the road, the governor says: "When the bill came up a member of the house came to one of the parties and said: '*The report can't get through until I get five hundred dollars.*'" And when an injunction was served on the fiscal officers of the State to prevent the indorsement of the bonds, the governor alleges that the parties procuring the injunction proposed to withdraw the same if \$25,000 would be paid. After many clear and explicit charges of fraud and corruptions, the governor, with an honest burst of indignation against this corrupt body, says: "I know of the fact, or have been told so by a hundred different persons, that money had been paid to get a certain report through at the last session. I want to say, do you suppose that if our Saviour would come here with a bill ever so good, and want to get it through, or it was thought best to get up a committee to investigate Him, do you suppose he wouldn't be crucified again if he didn't pay something to prevent it? * * * * I learned afterwards that they privately demanded of the president of the road \$500 apiece, as it was publicly stated by themselves that they did not get enough out of the road when the bill passed." I need hardly occupy your time with the hundreds of frauds and corruptions which are too well known to the public to need repetition; but I cannot refrain from calling your attention to the expenditures of the county commissioners of Charleston for the current year ending October last, amounting to \$238,841. The governor in his messages, transmitting the same to the legislature, properly remarks, that "these amounts are of startling magnitude, and it is worthy of consideration whether they cannot be materially reduced." I believe an investigation connected with these frauds has been had or proposed.

ITEMS.

Roads and bridges.....	\$108,225
Public buildings.....	28,679

Constables and trial justices.....	\$38,866
Sheriff, clerk of county, and coroner.....	62,671
Total.....	<u>238,841</u>

Perhaps before the war these items would have reached \$50,000 to \$75,000. Trial justices, State constables, and herds of expensive and useless officials are rapidly corrupting the people and eating out their substance.

When we reflect that this is the expense of but one of the thirty-odd counties of the State, spending over a quarter of a million under the power of a mere commission, we need not be surprised that the taxes of the State this year reaches over \$2,000,000, against less than \$400,000 before the war. As the taxes to be paid this year aggregates over \$4,000,000, as it includes two levies which is tenfold the amount paid before the war in any one year, we may well be constrained to look to our rulers for some mitigation, and ask for a convention of tax-payers to consider the grave issues which the ignorance and fraud of the legislature are precipitating upon us in a practical confiscation of our property by taxation, and the probable loss to our creditors by the certain bankruptcy of the State. The recently developed frauds of the land commission, by which the State has been made to pay \$750,000 for property acknowledged to be worthless for the purposes intended, and impossible of sale at even \$150,000, making a clear loss to our overburdened tax-payers of \$600,000 in a single year, which, before the war, would have paid the expenses of the State for one year and a half, is but the development of that class of legislation which the few honest and conservative men of the radical party are unable to resist, unless the election laws can be so changed as to afford minority representation in the legislature and all the offices throughout the State. This, I believe, can be effected with the coöperation of the respectable and honest republicans, who are desirous to aid the conservative people of the State to obtain fair show of influence in the making of the laws and levying the taxes, which alike concern the interests of us all.

The resolutions of the Chamber of Commerce and the Board of Trade, to which you have so patriotically responded, are plain and simple. They recognize the practical value of the right of representation, and the protection of the rights of property against fraud and misrule. They allege gross frauds on the part of the legislature and of many of the officials of the State. Apart from the universal criminal representation, the quotations already cited being the honest admissions and indignant charges of his excellency the governor against his own party, proves beyond question the truth of these allegations, and also his inability to save the community from the preponderance of corruption in the legislature, because the honest and intelligent portion of his party are too feeble in power to overcome the mass of ignorance and corruption which sways the destinies of the State. The action contemplated by these resolutions is to give public notice that the sterling bonds must not be negotiated or regarded as binding on the property and good faith of the people of the State, and if argument and proofs of the wisdom and honesty of this measure were wanting, I should propose only to adduce the two protests entered in the journals of the two houses against the passage of the bill authorizing the loan, but which were disregarded by the majority:

"We, the undersigned, members of the senate, protest against the passage of a bill entitled 'A bill to create a debt of the State of South Carolina, to be known as the sterling funded debt, the same, or the proceeds thereof, to be exclusively used in exchange for or in payment of the existing public debt of the State of South Carolina,' for the following reasons:

"1st. Because to create any further debt at the present time is unwise and unnecessary.

"2d. Because the existing debt of the State is unknown, and a correct knowledge of it cannot be obtained.

"3d. Because it is admitted by the champions of this bill and its friends that the financial managers named in its text are not the proper persons to be clothed with such a fiscal trust.

"4th. Because it will increase the burden of taxation, now already oppressive, and swell the aggregate of the interest on the existing and the sterling funded debt to the amount of \$1,000,000, or at the rate of six mills per dollar per annum upon all the property of the State of South Carolina.

"5th. Because the agent or agents who are to negotiate and manage the proceeds of the sales of the \$3,000,000 in sterling bonds for twenty years to come are not required in any way to give security of any kind for the enormous trust confided to them.

"6th. Because the question of such a large indebtedness, viz, \$6,000,000 in gold, the largest ever at any one time in the history of the legislature of the State of South Carolina authorized, should have been submitted to the qualified voters of the State for their approval or rejection before the general assembly put it beyond their power to control.

"7th. Because the credit of the State must be impaired as the column of indebtedness is increased.

"8th. Because the excessive taxation that is to follow this new created debt will produce discontent and dissatisfaction throughout the whole State, and will inspire opposition to the government, that will disrupt the peace and increase the disorder now so threatening and deplored in our community.

"B. F. WHITTEMORE.

"E. E. DICKSON.

"W. E. HOLCOMBE.

"JOHN WILSON.

"G. W. DUVAL.

"D. BIEMAN.

"J. FOSTER."

The protest of the members of the house:

"We think the measure a good one, and, if properly managed and directed, might be productive of good and substantial results. But believing that a majority of those composing the 'financial boards' are without financial knowledge and experience, which is so eminently required to successfully carry out such grave and important measures as the one in question, and further believing that such safeguards as will properly and efficiently protect the rights of the State have been neglected, we are constrained to vote as above indicated.

"E. H. FROST.

"B. A. BOSEMON.

"CHARLES S. KUH.

"JOSEPH D. BOSTON.

"C. J. ANDELL.

"FORTUNE GILES.

"W. W. JERVEY.

"M. GOGGINS."

I will close this evidence of fraud and corruption by quoting from the protest against the Greenville Railroad, made by leading minority members of the house, and entered in the journal February 26, 1871:

"1st. Because it (the bill) is a deliberate and willful attempt on the part of those in whose interest the bill was framed to enrich themselves at the expense of the State.

"4th. Because the effect of its passage will be to injure the credit of the State abroad, which even now does not rest upon the most secure and substantial basis, owing, we fear, to the mismanagement and cupidity of those to whom the affairs of the State are intrusted."

Thus you will perceive I have confined myself to documentary proofs from radical official sources, and, did time permit, I could greatly swell the record from the proceedings of the legislature and official publications of the past two years. The conclusive reasons and facts produced by these able and timely protests of leading senators and members of the house, recorded in the journals at the time of the passage of the bills, not only prove the corruption and unfitness of the legislature and the leading officials intrusted with the funds of the State, and wielding the destinies of the people, but sustain these charges by radical testimony, which cannot be disputed, and which is most creditable to the conservative action of the individuals concerned, rising, as they do, above party issues, whose action and conservative statements I desire now to acknowledge as the most conclusive evidence of the propriety of resisting all future negotiations pledging the faith of the State so long as the people whose property is to be pledged are denied the right of protecting their interests by proper representation in the legislature.

Leaving for the discussion of others the various forms of oppression and misrule under which the State suffers, I propose to call your attention to the repudiation of the party in power, and the disgrace which has fallen upon the hitherto unquestionable financial integrity of the State. I refer to the willful refusal to pay the matured *fire loan debt*.

It appears that the legislature of the State, in the session of 1838, authorized the governor to negotiate a loan for some two millions of dollars to rebuild that part of the city of Charleston then lying in ruins, caused by the destructive fire which had devastated that city, pledging not only the faith and credit of the State, but the capital and profits of the bank of the State, for the prompt payment of the interest and for the liquidation of the principal as the loan should mature.

The proceeds of this loan were to be deposited in the bank of the State, and to become a part of the capital of said bank, to be loaned out to property-owners in the burnt district of Charleston, secured by bond and mortgage of the respective lots to be rebuilt upon by said loans.

The president of the bank and the governor of the State, jointly, appointed Mr. McDuffie as their agent to proceed to London and negotiate the loan. On Mr. McDuffie's arrival in London he published an address, in which he made the following statement:

"The legislature, in order to make assurance doubly sure, has provided that, in addi-

tion to the general pledge of the faith and resources of the State, particular funds shall be specifically appropriated and solemnly pledged and set apart to secure the punctual payment of the interest and principal of this loan. As this fund will partly consist of the profits which shall accrue from the two millions now to be borrowed, the mode in which it is to be used will be stated. It is to be deposited in the Bank of the State of South Carolina as so much capital, to be employed by that bank, acting as the fiscal agent of the State, in accomplishing the objects of the loan, viz, to aid the citizens of Charleston to rebuild their city."

Upon the faith of these representations and pledges of the legislative enactments referred to, Messrs. Baring Brothers & Co. became the purchasers of the larger portion of the bonds, and through their influence most of the balance was negotiated on most favorable terms to the State, I think at 93 per cent., and at the low rate of 5 per cent. interest, because of the peculiar nature of the security, having not only the honor and faith of the State, which had always met its engagements promptly, but had also the capital and profits of the bank to fall back upon, and the further power of a legal remedy in the courts in case of default of payment, which remedy could not be resorted to against a sovereign State.

The bank, therefore, became not only the debtor of the holder of these bonds, but was agent for the State and trustee for the creditors. The proceeds of these loans were lent out by the bank as contemplated by the statute. Charleston was rebuilt, and the loans made long since returned to the bank, with a large profit to the State on the transaction, interest charged by the bank being much greater than the interest paid by it to the English capitalists: £123,500 matured, as was paid by the bank in 1858, leaving outstanding £109,000—in round numbers about \$545,000 in gold, which became payable July 1, 1865.

The legislature of 1865, finding the State unable to pay these obligations promptly, did honestly propose to devote the assets of the bank to the payment of these bonds and the outstanding circulation, giving the preference to the bonds under the pledges made by Mr. McDuffie and the statute under which he negotiated the loan. But the present administration initiated a policy which has led to expensive and troublesome litigation, and this loan left unpaid and virtually repudiated for five years, although the Messrs. Baring offered to renew the bonds on the same liberal terms which had been extended to the State of Massachusetts in London, provided the securities originally pledged should be devoted in good faith to the indebtedness. Another issue of this fire loan, made about the same time, in the United States, under the same statute, and for the same purpose, amounting to \$318,000, and advertised to be paid in gold January 1, 1871, was repudiated also, although the fiscal agent, Mr. Kimpton, gave notice, by public advertisement, in New York, Columbia, and Charleston, that principal and interest would be paid on that day.

It is true that legal questions have arisen between various creditors of the bank of the State as to priority of loans. But this litigation seems to be the only resource of the creditors, as long as the authorities of the State continue to repudiate the indebtedness of the State; for in all issues now pending against the assets of the bank the State is bound, in good faith, to pay the litigants, because the State is liable for the deficiency of the bank to make good its obligation.

The want of financial skill is as evident as the repudiation of these debts is glaring and dishonest. How can a State hope to negotiate loans when defaulting in payments already due, and attempting also to deprive the creditor of securities, pledged in good faith, to obtain the loan?

While these legislators were repudiating their contracts with the Messrs. Baring, and refusing to make any provision for the payment of their fire loan bonds, due five years since, and even passing laws to deprive them of the assets of the bank pledged for the security of these bonds, in a spirit of extraordinary liberality with the tax-payers' money, they were passing laws to increase the burdens of the people by the payment of interest on the bonds in *gold*, which bonds they had largely purchased at a great depreciation, and by investing \$750,000 in land to be distributed among their favorites; and all this time they kept an agent in New York, borrowing the money on call, and hypothecating the bonds of the State in the wildest manner, and indorsing the bonds of railroads to an almost indefinite extent, so that leading members of the senate openly avowed their inability to compute the actual indebtedness of the State, as I have already quoted to you. Are you surprised that the credit of the State should have fallen so low? Repudiation is always a crime which never fails to bring lasting and severe punishment home to the perpetrators. An individual or a State may become so reduced by misfortune or bad management as to be unable to meet obligations, but no individual or State has ever profited by an exercise of bad faith, no matter how ingenious the arguments used in justification.

I have seen the governor of a State almost repulsed from a banker's office when applying for a loan, with United States bonds as security, because his State had repudiated some territorial issues of bonds. The banker refused to hold intercourse with him officially.

South Carolina has been terribly impoverished by the war, and her sons insulted and robbed by these adventurers which have been forced upon her, but the honor of the State is in the custody of her sons, and will suffer no diminution at their hands.

We have everything here but a good government and active capital. Our people are intelligent, industrious, and honest; our soil is productive and our climate genial. Controversies like this, if conducted with conservative decision, will gradually enlist large numbers out of the ranks of the party which have been acting against us. I am confident that the conservative element of that party are ashamed of their company, and are too American at heart to sustain the practices and measures we complain of. Capital will flow in upon us when we can demonstrate the safety and profit of investments in our productive industry, by the suppression of the frauds and extravagance which now threaten to drive the State into bankruptcy, as our rulers have already disgraced us by repudiation. Railroads and manufactories will be organized, and our laborers will be able to enjoy the fruits of their industry, which are now taken from them, under the forms of taxes, to pamper corrupt and ignorant representatives who amuse the newspaper correspondence of the country, and demonstrate that civilization is not always onward, even when directed by the party of progress.

While we must investigate and use every effort to correct the evils which have befallen the State, and coöperate with all parties and all persons who will lend us a helping hand to restore her to her former position of dignity and power, and her citizens to all the rights and immunities becoming freemen, still we must not be discouraged if our progress falls below our hopes. We cannot disguise from ourselves that the fearful losses of the late civil war have not only seriously impaired our power of reproduction as citizens of this State, but have also entailed heavy burdens on us as citizens of the United States. The production of wealth must be necessarily slow for years to come, and therefore the greater necessity of enforcing the most rigid economy on those who expend the public money of the State and that of the Federal Government.

The taxable value of the property of the State in 1860 was \$490,000,000, and the taxes only \$392,000; now the taxable property has been reduced to \$184,000,000, and the taxes increased to \$2,000,000; so, you perceive, while your property has been reduced to less than half its former value, your taxes have been increased five hundred per cent.

Indeed, the recent census reports show a heavy decrease in the property of the Southern States, nearly \$2,000,000,000, and the present debt of the United States, say, \$2,500,000,000, just about balances the accumulations of the people for the past ten years, leaving no profits; and hence the steady but slow decline of real estate and other property depending on accumulations of wealth for an advance in price.

The Government of the United States are now drawing from the hard earnings of the people some \$400,000,000 per annum, which is at least \$1,000,000 more than the surplus earnings have shown for the yearly average of the last ten years.

From 1850 to 1860 the increase of wealth in the United States was \$4,500,000,000, or but \$450,000,000 annually. From 1860 to 1870 the increase is but \$2,500,000,000, or \$250,000,000 annually. I simply adduce these figures to show that we must not be too sanguine for the future with these burdens of radical rule in the national and State governments thrown upon us. Nor yet must we be discouraged by the falling off in value of real estate and other property, and the limited profits of our industry. With all these drawbacks, we compare favorably with every section of the country. And the restoration of intelligent and honest men to power, working under the true doctrines of the Constitution at Washington and Columbia, which is not far off, will soon restore that prosperity and true national greatness which formerly characterized us as a people.

Mr. Lathers suggested that there be appointed:

1. A committee to confer with the governor on the necessity of extending the time for the payment of the November taxes.
2. A committee to investigate the indebtedness of the State, the books and accounts of the treasurer and comptroller, and compare the same with the statutes for raising and disbursing the moneys of the State.
3. A committee to investigate the accounts of the fiscal agent of the State in New York.
4. A committee to inquire into the amount of money annually raised by taxation, and whether there is any necessity for the excessive taxation now imposed on the people.
5. A committee to inquire into the grievances, the frauds, and extravagances caused by the anti-American principle of taxation without representation, and report a remedy for the same.
6. That an executive committee be appointed who, together with the president of this convention, shall have it in charge to protect the interest represented by this convention in the interval of adjournment, to keep in view the current legislation of any

future meeting of the legislature, and to call together at such time as they may deem expedient.

7. That this convention confirm the action and resolutions of the Board of Trade and Chamber of Commerce of Charleston, in respect to the sterling loan.

8. That a committee be appointed to investigate and report a plan to restore the credit of the State, and to confer with the representatives of the "fire loan securities" of the State, which have been practically repudiated by the State authority, with a view to repair the damages to the good faith and honor of the State, by influencing an early liquidation of these obligations.

Mr. Ellison Keitt, of Newberry, offered the following resolutions:

Resolved, That the president of this body be, and he is hereby, authorized to appoint a committee of six to draw up a petition setting forth the grievances of the people of this State, and asking the President and Congress to take charge of the State and put it upon an enduring foundation—a foundation that will secure a fair representation of the people, that we may go to work, and not only build up our own State, but aid in advancing the prosperity and the glory of the Republic.

Resolved, That the several counties of the State are respectfully invited to meet at their respective court-houses on the first Monday in June next, and appoint two delegates, who will meet in Columbia on the Monday following, when, after organizing, they will proceed in a body to Washington City, and present the petition to the President.

The rule was suspended, the resolutions considered immediately, and laid upon the table.

Mr. E. B. C. Cash, of Chesterfield, offered the following resolution; which was considered immediately, and agreed to:

Resolved, That the governor of the State of South Carolina be invited to a seat on the floor of this convention.

Mr. F. F. Warley, of Darlington, offered the following resolutions:

Resolved, That it be referred to the executive committee to inquire and report upon what terms and for what consideration the making and execution of the Blue Ridge Railroad Company, and other companies, of a mortgage to Henry Clews, Henry Gourdin, and George S. Cameron, to secure the payment of certain bonds, was ratified and confirmed by the legislature, and the said mortgage declared to be a "lien prior to that of the State on all property described in said mortgage, and on the entire line of the Blue Ridge Railroad, and on all other properties of the several companies, or which they, or either of them, may hereafter acquire."

Resolved, That the committee be instructed to report what action, if any, can be taken by this body to prevent the subordination of the State's lien upon the line of the Blue Ridge Railroad, and the entire properties of the other companies, to the junior claims of private individuals.

The resolution was considered immediately, agreed to, and the subject-matter referred to the executive committee.

Mr. M. W. Gary offered the following resolution; which was considered immediately, and agreed to:

Resolved, That a committee of seven be appointed to memorialize the governor and the legislature of this State as to the expediency of repealing or modifying the election laws of this State, and that said committee do report upon the expediency of adopting the cumulative system of voting, or such system as will protect the rights of minorities.

The convention then took a recess until 4 p. m.

EVENING SESSION.

The convention reassembled at 4 o'clock p. m., the president, Hon. W. D. Porter, in the chair.

The following additional delegates appeared at the secretary's desk and enrolled their names:

Charleston—W. B. Smith.

Chesterfield—Alfred M. Lowry.

Clarendon—John L. Manning, John P. Richardson, and James E. Tindall.

Fairfield—John Bratton, T. W. Woodward.

Kershaw—William M. Shannon.

Lexington—F. S. Lewie.

Sumter—John B. Moore, F. H. Kennedy.

Williamsburg—David Epps.

The president laid before the convention a communication from the Hon. J. L. Neagle, comptroller general, presenting copies of the annual report of his department, and statements of the public debt.

The reports and statements were ordered to be distributed among the delegates.

The president announced the following committee of eleven under the resolution of General M. C. Butler:

Committee of eleven.—Messrs. M. C. Butler, Cadwallader Jones, Gabriel Cannon, B. W. Ball, W. H. Wallace, Richard Lathers, A. M. Lowry, G. A. Trenholm, E. J. Scott, W. B. Smith, T. C. Weatherly.

Also the following committee of seven, under the resolution of General M. W. Gary:

Committee on election and suffrage laws.—Messrs. M. W. Gary, C. W. Dudley, William Wallace, B. H. Wilson, J. P. Thomas, E. S. Keitt, J. H. Screven.

Also the following to compose the executive committee, under the rules of order offered by General J. B. Kershaw, and adopted by the convention:

Executive committee.—Messrs. James Chesnut, Johnson Hagood, Thomas Y. Simons, C. W. Dudley, E. B. C. Cash, F. F. Warley, A. P. Aldrich, Henry Gourdin, H. C. Smart, William Wallace, R. L. McCaughrin, A. D. Goodwyn, J. L. Westmoreland, A. H. Davega, A. B. Woodruff.

Mr. C. W. Dudley, of Marlborough, took the floor and spoke as follows:

I rise, Mr. President, for the purpose of introducing certain resolutions, and desire to preface their introduction with a few explanatory remarks. In doing this, I hope the convention will excuse me if, by dealing in a spirit of candor, they should listen to opinions not strictly in harmony with those that were at one time very generally entertained under the pressure of a common danger. It is becoming that those who give a public expression to their opinions should do so in all sincerity, with the single view of contributing counsel, which has at least the merit of perfect honesty, and is not shaped in any degree by a desire to render it popular. It has not been my habit in past life to attempt to amuse a deliberative assembly with exhibitions of this character, and now at this day, with the advantages of a hard experience, it would be still more out of place to consult such a monitor on an occasion like the present.

I see before me the representative men of the once glorious old State of South Carolina. They have not met, as of yore, to rejoice in the traditions of the past, and to stand erect in the consciousness of intelligence, wealth, and character rightly appreciated, but they have come together as mourners; sorrowing for the loss of all they held valuable in life, and inquiring whether there be not some way in which the final catastrophe of barbarism, that is fast spreading its dark pall over their beloved land, may be averted, and possibly some means be discovered by which wealth, intelligence and patriotism may once more be estimated at their proper value in administering any government wherein they can be found. It is indeed melancholy to look around upon the wreck of all that Carolinians once held dear. The stately mansion, where once was dispensed the elegant hospitality of a southern home, is now tenanted by poverty and broken hearts. Strangers have come in, and appropriated to themselves all the offices of profit and trust, while they who were to the manor born have no voice in the legislation of their own country, and are chained down to the soil, only to be taxed to support the authors of their ruin! The privilege of the ballot, once so dear to every freeman, has, under the disguise of a principle, been converted into an instrument by which the white man has been robbed of his influence, and the African race, unaccustomed to the duties of a statesman, have been transferred from scenes of daily labor in the fields, and assigned to discharge the functions of the legislator and the judicial magistrate.

The picture is too sad to be drawn out fully to the extent of its hideous proportions, and is only referred to here as a part of the history of the times, of great value in determining the principles upon which this convention will proceed at the present time. If by an injudicious course heretofore pursued at certain crises of our fortunes, nothing but calamity has been the result, it may be well to inquire whether it is not time now to change the policy which once prevailed, and adopt that which is recommended by the judgment, although it may not gratify the passions. The bravest of soldiers cannot resist destiny, nor will his good judgment counsel him to do so, but rather to accept the situation with the best grace he can which adverse circumstances have forced upon him.

Had this principle prevailed in 1865, South Carolina might have been admitted into the Union forthwith, without the terrible conditions which were afterward exacted. Had there been sufficient evidence in the elections that past issues were really buried and forgotten, the reconstruction of the government would have been attended with few or no changes, distasteful to the southern mind. But human nature, smarting under defeat, asserted itself in still clinging to old issues, and thereby admonished the dominant party, that there was danger still from an element which, though crushed, had not been killed. A series of precautionary measures were adopted, culminating in the fourteenth amendment of the Federal Constitution, whereby many of the most prominent citizens of the State were subjected to disabilities, and thereby excluded for a time from the large influence they had once exerted over the affairs of the people. In the morbid condition of the public mind which then existed, the legislature of South Carolina rejected this proposition, with only one dissenting voice. Voters were called in to whom these measures were not distasteful, and the result has been that

the power of the white man has been taken away, and he has been compelled hitherto to look in silence upon the sacking of his home by foreign adventurers, in control of the voting population, until at last human nature, impelled by the instincts of self-preservation, has sought relief in the deliberations of this convention.

Taught by bitter experience how little can be gained by resisting the power which has controlled these events, it remains for the people to accept them in the best spirit they can, as accomplished, irreversible facts. With a knowledge of what is before them, it is not impossible for the public mind to adapt itself to the necessities of the situation, and gradually to become reconciled to contend for the prizes of life, even under conditions like these. Where nothing can be gained by standing sullenly still, while others are plucking all the fruits of energy and effort, a wise policy plainly indicates that we too, conscious of the powers to maintain the contest with them on equal terms, should at once enter the lists, and achieve the restoration of the State to the hands of those who will consult only its honor and its lasting prosperity. Let the world know that this only is our ambition; that the foundations of the State government having been laid, we intend peaceably to build up the superstructure, and take our chances for the future with such opportunities as the results of the war have left at our command.

When this shall be fully understood, the sympathies of the northern heart will be with us. Apprehending revolution no longer, the power which has been directed against us will come to our rescue to avert the impending calamity of barbarism and restore the civil government into the hands of virtue, intelligence, and patriotism. The future prosperity of South Carolina cannot be a matter of indifference to the statesmen of the North, for they know too well that the gangrene which destroys the extremities will in due time reach the heart of the republic. We will have their aid in all that tends to the rebuilding of the magnificent structure of the Union, and maintaining its perpetuity. If there are elements here at work which threaten the hopes of the true patriot in that regard, we will not be alone in the virtuous effort to expel them, and, side by side, the North and the South will march together to the victory which virtue and intelligence must always demand over ignorance and depravity. Already are the republican organs in other States beginning this battle for the right. No longer the enemies of their white brothers, who are willing to be their friends, we find them boldly denouncing the evils of which we so justly complain, and with the resistless current of public sentiment which will ere long sweep over this whole land, these political cancers will be eradicated, and the bright lamp of hope will again illumine the path of the South Carolinian and reconcile him to his country.

This, and this only, is the path of true wisdom. Nothing really valuable can be achieved in any other way. For it must not be forgotten that no measure of civil polity can be forced upon a majority of 30,000 voters without their free and full consent. The colored population must give us their assistance in any reforms which are contemplated. This they will do just as soon as they discover that their former owners are completely reconciled to their new condition. If they have turned from us heretofore, from a suspicion that their newly-acquired rights had been grudgingly granted, and were not safe in the hands of those who had never recognized them as equals, this was but natural; and we are compelled to admit that under similar circumstances we would have done so ourselves. They have looked for protection to others, because they were afraid to trust their all to those who might have a motive to betray that trust.

Here, then, lies the difficulty to overcome. If it has been the work of years to educate the white people of this State to a proper sense of their real condition and of their true interests, the same lapse of time has taught lessons of wisdom to the colored race also, and they are beginning to see that all the "protection" they really have had has been the privilege of voting for those whom they have enriched, at the expense of the suffering and poverty of their former owners, while they are still poor themselves, and are thrown back upon the same owners for the bread which keeps alive their wives and children. They must see that this is the source from which they are to draw their supplies in future, and that their interest lies in preventing mere strangers and adventurers from taking everything themselves, in the form of unnecessary and oppressive taxation. The day is fast approaching when the native Carolinian and the colored man will be in perfect accord in all measures for their mutual protection, and the 30,000 votes which have spread such ruin over the State will turn their batteries against those who have selfishly destroyed the people to enrich themselves, and make the colored race poorer still, who were poor enough before. As a race, they are kind-hearted and affectionate, and desire to lean upon those with whom they played in their childhood.

With natures thus inclined, our task of perfect reconciliation is easy. Let us be not only just to them, but generous. The obligation is upon us. They gave us their work during the war, when an obvious self-interest might have stimulated their hostility. They protected our families by all the means in their power, when the white man was on the distant battle-field, and his home was without other protectors. Surely, if ever there was a debt, founded on the strongest moral obligation, it will be found in the

humble claim which the colored man now makes upon his former owners, and this is, only that they may be protected in the rights which the results of the war have given them—rights which they never demanded for themselves, but have only accepted at the hands of others.

Upon this easy condition, this 30,000 majority, heretofore hostile, will melt away, as a huge glacier under the warming rays of the sun. It may not be the work of a moment, but the result is only a question of time. Already is it commenced, and the relations between the races are now far more cordial than they have ever been since the war. Now, let this convention, composed as it is of the heroes of many a battle-field, rise up to the moral heroism of proclaiming to the world their unalterable purpose to repay the kindness and fidelity of the colored man by an unreserved acknowledgment of his newly-acquired rights, and such a pledge, coming from the representative men of South Carolina, who have never yet learned to equivocate or evade, will be respected by all those who are capable of appreciating properly the obligations of personal honor.

With these introductory remarks, I beg to submit to the convention the following resolutions.

Mr. Dudley introduced the following resolutions:

The delegates to the tax-payers' convention, now met and sitting in Columbia, South Carolina, desiring to be fully understood by their fellow-citizens of this State and of the United States, do consider it proper and becoming to make this declaration, setting forth the causes which have called them together, and the objects which they have in view.

At the close of the war, in 1865, the people of South Carolina were bowed down by hard realities, which, in the very nature of things, would require the lapse of years to make tolerable. The task before them was to take to their arms the people who had humiliated them by defeat; to unlearn the glorious traditions of the past; to disavow the well-settled opinions in which they felt to be involved all they held dear in the history of their native State; to surrender the wealth which they had inherited or acquired, and to consent to the hard lot of the bankrupt, for themselves and their families; to feel that henceforth their social position was to be one of sackcloth and ashes, in which they would be compelled to recognize their former slaves as their equals, and receive them as visitors in their parlors; to see their proud old State in the hands of strangers, while the native-born citizen, qualified by education to guide and direct the administration of its internal affairs, was only allowed to stand at the door and pay the expense of those who caroused within.

It might have been more artful for those who had to undergo this ordeal to have smiled hypocritically and sung hymns of praise to their own humiliation. But, true to the instincts of nature, their honest aims went no further than to discover how to mitigate the severity of their sufferings, by a quiet acquiescence in the portion fixed upon them by the results of the war.

Hence, in sorrow and apprehension, they have plodded their weary way for the last six years, and, with the hard lessons of a bitter experience, have gradually reached conclusions, which enable them now to declare—

Resolved, 1. That they meditate no resistance whatever to the Government of the United States, under its present administration, and intend in respect thereof to conduct themselves as peaceful, law-abiding citizens.

2. That however distasteful the reconstruction measures have been to the southern mind, we now view them as finalities, and recognize the duty of obeying them in letter and in spirit, and as far as in our power lies to make that duty pleasant.

3. That we look to time and to peaceful measures only for the solution of any difficulties that now exist or may hereafter exist in the administration of the affairs of this State, and we entertain the belief that all the changes and modifications that may be desired in that connection can and will be effected by the quiet influence of an enlightened public opinion.

4. That the exigencies of the times demand from the people other efforts than those intended to promote the success of any "party;" their true interests consisting in uniting with good citizens of any and all parties in promoting the welfare of every section and of every class of the people.

5. That we deprecate any and all local disturbances arising out of the irritation consequent upon the supposed maladministration of public affairs in the State, and our appeal to the people to respect the laws and to look to them only for the redress of such grievances as may now or hereafter exist, and unite with their fellow-citizens in a continual effort to promote the cause of peace and harmony among all classes of the people and secure the permanent prosperity of the State.

These being the principles intended to regulate the conduct of the people of this State, we feel prepared to cooperate with the authorities in all necessary reforms and improvements in the government, having for their object the best interests of the Commonwealth; and that we have the right to present to them for redress any griev-

ances of which we may justly complain. And, in the exercise of that right, we ask for relief in the following particulars:

1. The adoption by the legislature of such methods of voting as will secure a representation therein of a minority of the voters.

2. Retrenchment in the expenses of the State by abolishing every office that can be dispensed with, and the reduction of the salaries of those which are necessarily retained.

3. That the public debt shall not be increased, and that his excellency the governor be requested, as far as lies in his power, to arrest the issue and negotiation of the bonds, created under a recent act of the legislature for funding the debt of the State.

Believing that the principles above proposed really actuate the great masses of the people, it is the purpose of this convention to attain the ends above indicated, and such other kindred measure as may appear necessary hereafter, by such peaceful and legitimate means as comport with the duty of good citizenship, and not otherwise.

The resolutions were referred to the executive committee.

Mr. F. F. Warley, of Darlington, introduced the following resolutions; which were referred to the executive committee:

Resolved, That this convention earnestly exhort the people of the State to abstain from all acts of violence calculated to supplant the regular and due administration of justice, and to rely upon the law and other proper agencies for the redress of those grievances of which they justly complain.

Resolved, That his excellency Governor Scott, having expressed a desire to appoint good men to office, it is but due to him that the citizens of every county should communicate freely with him in reference to the fitness and qualifications of his appointees, and give him the opportunity to remove those who have shown themselves to be inefficient, unworthy, or unfit for the offices they hold.

Resolved, That we recommend the people throughout the State, without respect to political opinions, to assemble in primary meetings, and earnestly and respectfully petition the legislature to abolish the numerous useless offices which are sustained by taxation, to repeal the many obnoxious and unequal laws which encumber our statute-books, and to enact such laws as will secure to the tax-payers a fair representation in the legislature.

Mr. A. P. Aldrich, from Barnwell, offered the following resolution; which was referred to the executive committee:

Resolved, That the executive committee do inquire and report on the grievances of taxation without adequate representation in the taxing body, and suggest a remedy for the existing evil.

Mr. D. H. Chamberlain, from Richland, offered the following resolution; which was referred to the executive committee:

Resolved, That a committee of five be raised to examine and report upon the accounts of the State with the financial agent of the State in New York, and that they apply to the governor for his aid and authority to make this examination.

Also introduced the following preamble and resolution; which was referred to the executive committee:

Whereas the material welfare of the property-holders and tax-payers of this State demand the faithful enforcement of the laws for the protection of life and property; and whereas violence and crime, if permitted to go unpunished, tend inevitably to derange the industry, paralyze the enterprise, and destroy the national welfare of our State; therefore,

Resolved, That the executive committee of this convention be instructed to inquire into the alleged violence now prevailing in several counties of this State, and to report upon a plan for the better execution of the laws against such violence, and the better protection of all citizens in their lives and property throughout the State.

The convention then adjourned, to meet to-morrow at 12 m.

SECOND DAY'S PROCEEDING.

WEDNESDAY, May 10, 1871.

Pursuant to adjournment, the convention met at 12 m., the president, Hon. W. D. Porter, in the chair.

The president announced the convention ready to proceed to business.

The secretary read the journal of yesterday's proceedings.

On motion, the journal was confirmed.

The following additional delegates came forward and enrolled their names:

Abbeville—Armistead Burt, B. Z. Herndon.

Anderson—James A. Hoyt.

Edgefield—M. L. Bonham.

Pickens—W. E. Holcombe, D. F. Bradley.

Oconee—J. A. Doyle, William C. Keitt.

Orangeburgh—A. D. Frederick.

• Mr. Gary moved a suspension of the rules for the introduction of the following resolution:

Resolved, That W. D. Simpson, of Laurens; C. H. Suber, of Newberry; A. D. Goodwyn, of Orangeburgh, and W. H. Trescott, of Greenville, be invited to seats upon the floor of the convention, and to participate in the deliberations.

Leave was granted, the resolution considered immediately, and adopted.

Mr. Chesnut, from the executive committee, to whom was referred the resolutions offered by Mr. Warley, made the following report:

"The executive committee, to whom was referred the resolutions of Mr. Warley in regard to the administration of justice, &c., beg leave to report that they have considered the same, and recommend that the resolutions do pass.

"Respectfully submitted,

"JAMES CHESNUT, *Chairman.*"

On motion of Mr. Chesnut, the report was considered immediately as a whole, and adopted.

A call of counties was had under the rule.

Mr. Aldrich offered the following resolution; which was referred to the executive committee under the rule:

Resolved, That the executive committee, with the president, shall have it in charge to protect the interest represented by this convention in the interval of adjournment, to keep in view the current legislation of the legislature, and to call the convention together at such time as they may deem expedient.

Also the following resolution; which was referred to the executive committee under the rule:

Resolved, That a committee of five be appointed by the executive committee to prepare a truthful and condensed report of the condition of the State now and since the war, and that the same be printed and distributed.

Mr. T. Y. Simons, from Charleston, offered the following resolution; which was referred to the executive committee under the rule:

Resolved, That a committee of five be appointed to confer with the governor, in relation to the postponement of the collection of taxes, to be raised in November ensuing, and report upon the same to this convention.

Mr. William Wallace, of Richland, offered the following preamble and resolutions; which were referred to the executive committee under the rule:

Whereas crimes hitherto unknown in South Carolina, viz: embezzlement of public funds and bribery in the legislature, have become so flagrant as to make the government of the State a by-word and reproach in the eyes of the civilized world, committed as they have been almost openly in the presence of the executive of the State and of the attorney general, whose duty it is to see that all offenders are brought to punishment; and whereas these violations of law on the part of those occupying high places in the government, committed almost openly and with impunity, beget a spirit of lawlessness throughout the State:

Resolved, That the attorney general be instructed to ferret out and prosecute all such offenders, and that a committee of five, members of this convention, be appointed by the chair to aid that officer in the discharge of his duty.

Mr. A. B. Woodruff, of Spartanburgh County, introduced the following resolution; which was, under the rule, referred to the executive committee:

Resolved, That it be referred to the committee of eleven to report on the propriety of proposing some plan, through the governor or otherwise, by which the law requiring all official notices to be published in certain papers be repealed, or so modified as to remove said requisition.

Mr. H. C. Smart, from Beaufort, offered the following preamble and resolutions; which were, under the rule, referred to the executive committee:

Whereas recognizing our obligation as delegates of the people of this State, in voluntary convention assembled, to adopt such measures as in our judgment be most conducive to social harmony, mutual coöperation in, and support of the government, and confidence in the financial condition of the State;

Receiving and accepting in good faith the assurances of his excellency that he "will render any aid in his powers to facilitate such object," and that "any plan which this convention may adopt consistent with our system of free government will deserve the earliest attention and support of the general assembly;"

Appreciating his suggestion as to the proper and most effective remedy for the existing evils, to wit: "to secure for the State the services of citizens whose experience and personal character would furnish a sufficient guarantee for wise legislation and judicious expenditure of the public funds;" be it, therefore,

Resolved, 1. That the executive committee of this convention be, and they are hereby, requested to nominate a committee, to consist of not less than three nor more than ten competent persons, who shall make and cause to be made a thorough investigation of all the liabilities of the State.

2. That his excellency the governor be, and he is hereby, requested to render any aid in his power to the accomplishment of this object. And as an important agency exists in the city of New York, a visit to which would entail much expense on the members of this committee, this aid be extended to embrace transportation of the committee.

3. The officers of the various departments be, and are hereby, requested to give to the committee access to all sources of information within their power.

4. That the executive committee be continuous in its organization, subject to the call of his excellency and its chairman.

5. In addition to the duties hereinbefore provided for, the members of this committee (the executive committee) shall, by conference and communication with his excellency the governor, whenever by him desired, assist him to secure the services of citizens to fill the various offices of the State and county, whose experience and personal character will furnish a guarantee for wise administration, and thereby secure the popular confidence of the tax-payers and other good citizens.

6. That we are opposed to repudiation of any past debt, and hope that the result of the arrangements herein provided will be to secure the prompt payment of all lawful and just obligations: *Provided, however,* that we distinctly reserve the right to further action on this point until after the reports herein contemplated are made.

Mr. B. H. Wilson, from Georgetown, introduced the following resolution; which was referred to the executive committee:

Resolved, That it be referred to the executive committee to report some plan by which the necessary expenses of this convention shall be provided for.

Mr. Chesnut, from the executive committee, asked leave for that committee to sit during the regular session of the convention.

Leave was granted.

Mr. Wilson moved to take a recess until 4 p. m.

Mr. William Wallace moved as an amendment that the convention take a recess until

7. p. m.

The amendment was agreed to; and the convention took a recess until 7 p. m.

EVENING SESSION.

The convention reassembled at 7 p. m., the president, Hon. W. D. Porter, in the chair.

The president announced the convention ready to proceed to business.

Mr. Warley, of Darlington, introduced the following resolution; which was referred to the executive committee under the rule:

Resolved, That this convention, representing the tax-payers of the State of South Carolina and authorized to speak for them, solemnly declare the intention of the people to resist by all lawful means the payment of any debt hereafter contracted by the present State government, or by any subsequent government in which the property-holders of the State are not represented.

Mr. T. Y. Simons, of Charleston, introduced the following resolutions; which were referred to the executive committee under the rule:

Resolved, That this convention of the property-holders and tax-payers of the State of South Carolina do hereby deem it our duty to declare that the so-called sterling loan, or any other bonds or obligations hereafter issued, purporting to be under and by virtue of the authority of this State, as at present constituted, will not be held binding on us, and that we recommend to the people of the State in every manner, and at all times, to resist the payment thereof or the enforcement of any tax to pay the same, by all legitimate means within their power.

Resolved, That we deem it our duty to warn all persons not to receive, by way of purchase, loan, or otherwise, any bond or obligation hereafter issued, purporting to bind the property or pledge the credit of the State, and that all such bonds and obligations will be held to be null and void, as having been issued corruptly, improvidently, and for fraudulent purposes, and in derogation of the rights of that portion of the people of this State upon whom the public burdens are made to rest.

Resolved, That a committee of five be appointed to investigate and report a plan to restore the credit of the State, and to confer with the representatives of the "fire loan securities" of the State, which have been practically repudiated by the State authorities, with a view to repair the damage to the good faith and honor of the State by influencing an early liquidation of these obligations.

Mr. Adams, from Richland, introduced the following resolutions; which were referred to the executive committee under the rule:

Whereas taxation without adequate representation is an anomaly in a true republican government; and whereas the tax-payers of the State of South Carolina are now laboring under the intolerable burdens arising from non-representation in the legislative councils of the State; be it, therefore,

Resolved, By the delegates and tax-payers of South Carolina, in convention assembled,

that they recommend to his excellency the governor a suspension of the collection of taxes for the year 1871, until the adjournment of the next session of the legislature.

2. That it is the sense of this convention that the necessities of the tax-payers of the State of South Carolina imperatively require such suspension.

PROPORTIONAL REPRESENTATION.

Mr. J. P. Thomas, of Richland, from the committee on election and suffrage laws, to whom was referred the question of the expediency of cumulative voting, or such system as will protect the rights of minorities, made the following report :

The committee to whom was referred the question of the expediency of the cumulative system of voting, or such system as will protect the rights of minorities, ask leave to make the following report :

The means of protecting the rights of minorities, in representative forms of government, has for a long period engaged the attention of thoughtful minds. In Europe, as well as in this country, this question has been fully discussed, and a satisfactory solution anxiously sought. So defective is the system of mere majority rule, so flagrant are the abuses to which it is liable, that the necessity for its modification strikes with force every impartial observer. It is obvious that the needs of good government require that some effective organism be devised for the protection of minorities. Your committee deem it unnecessary to enter upon an analysis of the several schemes of proportional representation that have been suggested. Enough to say that, in our judgment, the plan of cumulative voting best accomplishes the end in view, best makes representation coextensive with the whole body of electors. This plan obtains wherever there is more than one officer to be elected. It gives the elector as many votes as there are persons to be chosen, and allows him to bestow his votes upon the whole number, or to cumulate them upon any number less than the whole. The effect of this system is to give to each political interest in a community a representation proportionate to its numerical strength. Under its operation the true office of suffrage, which is to collect the sense of the whole community, will be subserved. There is effected neither exclusive representation of the majority, nor exclusive representation of the minority, but proportional representation. The proposition is that the cumulative system secures thorough and general representation of all the interests in the political body. To illustrate the system: Under the present electoral system of the State, in a community of 200 voters 101 elect representatives—say four—for the entire body. That is, out of 200 voters, 101 impose their representatives upon the 99. The 99 have no representatives—are virtually disfranchised. Now, under the operation of the cumulative system of voting, assuming that, in the same community, the 200 are equally divided politically, the representation would be equally divided. It may be mathematically stated thus: 1,000 voters : 500 voters :: 2 : 1. Under the operation of such a system, each party would of necessity calculate its strength in advance, and seek to elect only the number proportionate to its numerical strength. For instance, in a certain community let us assume that there are 5,000 democrats and 9,000 republican voters, and that there are three persons to be elected. The 5,000 democrats have 15,000 votes. The 9,000 republicans have 27,000 votes. If the democrats were to attempt to elect all three representatives, they could give each only 5,000 votes, which would result in their securing no representative, as the republicans, being able to give each of their candidates 9,000 votes, would elect them all. On the other hand, if the republicans were to attempt to elect all their representatives, they could give each only 9,000 votes, which would result in the defeat of one, as the democrats could cumulate their 15,000 upon one candidate, and thus elect him. The effect would be that each party would, of necessity, cumulate its strength, and there would result a proportional representation. In the case stated, the 5,000 democrats would secure one representative, and the 9,000 republicans two representatives. This is the principle of proportional representation by means of the cumulative system.

Your committee, desiring to confine themselves to general propositions, propose to refrain from entering further into details.

Your committee are gratified to state that this system of cumulative voting, which is destined to play so important a part in the development of popular rule, has already been put in operation—"proposed, explained and advocated in the first instance by James Garth Marshall, a subject of the crown of Great Britain," this plan has been championed by ex-Senator Buckalew, of this country, has been incorporated in the revised constitution of Illinois, and has been put upon its trial in a Pennsylvania town. Recently the subject has attracted unusual interest in the South. In our own State it has been received with great favor, and lifted above the plane of political partyism.

Your committee are of the opinion that, abstractly considered, proportional representation is a great governmental principle, a wise, just measure of reform, and one absolutely necessary to make unlimited suffrage consistent with peace, order, and security. It enters the political body as a saving, a conserving element. It comes to leaven the lump of democracy, and to give the essence of genuine republicanism.

which is, briefly stated, thorough and general representation. But if proportional representation be an admirable system in any government founded upon the popular will, your committee hold that the plan is peculiarly applicable to such a condition of society as this State now presents.

Your committee do not affirm that this would cure all the diseases of the body-politic; but they may, without extravagance, suggest that the system of proportional representation, if adopted by those who wield the numerical power, would alleviate many of the evils incident to our present abnormal condition; would, to a large extent, tranquilize public apprehensions; would moderate the spirit of political convulsion, and tend to bring about in this State all the peace that we can reasonably hope to attain.

Your committee are aware of the fact that this measure of electoral reform, if it shall be promptly realized by us, must come from the dominant party of the State. Whether it will come or not, we cannot decide. In either event, the minority in South Carolina put forth their claims in this behalf. It is their right. Should it be denied, the responsibility must rest upon those who use thus the power that the present gives. Should it be tendered, it will doubtless produce the fruits of justice and widen the circle of peace. This much we may add: Since it is the nature of majorities to change, it may be well for the dominant party to consider whether the adoption of proportional representation may not for them be the best policy for the future, as well as the highest wisdom for the present.

Respectfully submitted.

J. P. THOMAS, *for Committee.*

Mr. Thomas spoke as follows in support of the report of the committee:

The principle of electoral reform embraced in the said report was not a new one. In Europe, as well as in portions of this country, the subject had been discussed, and the principle to some extent applied. The system provided for a just and thorough representation both of political parties and of industrial interests, and as such it was applicable to the condition of affairs in South Carolina. We are here to consider the remedies available for the local misrule, abuses, and extravagances which called this convention into existence.

The special remedies called for he did not propose to consider. It was the general remedy that the committee sought to suggest. This general remedial or palliative agent was proportional representation by means of the system of cumulative voting. It would be admitted that we had in South Carolina a difficult question to meet. We have, living on terms of political equality, two races, with strong lines of difference separating them. While, perhaps, no political millennium was to be realized, yet, under the influence of a proper governmental system, it was possible for the white and black races to live together in a condition of reasonable peace and prosperity. This was to be consummated by each acknowledging the just claims of the other, and by both planting themselves upon the basis of justice, good will, and right.

Certain it was that mere majority rule had proved disastrous in South Carolina. It had brought the State to the verge of bankruptcy, anarchy, and ruin. It was conceded by the dominant party that reform was demanded for the common good. Even the architects of the temple of reconstruction in South Carolina were disposed to admit that the work was faulty, and liable to fall about our ears. If we are to get relief and to give increased stability to our political structure, we must adopt the policy indicated in the report. We must ingraft upon our system of suffrage the principle of proportional representation. The report is now submitted to the judgment of the convention.

Mr. J. L. Manning, from Clarendon, moved that the report and resolutions be laid upon the table for the present.

Mr. Trenholm, of Charleston, asked that the motion be withdrawn, in order to enable him to make a few remarks.

The motion was withdrawn.

Mr. Trenholm then said:

SPEECH OF HON. GEORGE A. TRENHOLM.

The principle of universal suffrage as a means of universal representation commends itself to the approval of right-minded men in all countries. Statesmen oppose themselves to it in vain. It lies at the very foundation of every true republican government, and merits the support of all good citizens. It is not against universal suffrage that we remonstrate; it is against the imperfect application of it. That mode of practical application prevailing, not in South Carolina alone, but in every State in this Union save one; a method by which, instead of universal representation, the entire minority, no matter how large that minority may be, is deprived of all representation whatsoever. It is against this great defect, this monstrous inequality, that we remonstrate, and for which we would institute a remedy. The one recommended by

the committee is not new; it has been extensively discussed both in Europe and in this country, and has met with the sanction of many eminent men. In England, that great country from whence we derive many of the most valued lessons of political government, amid an aristocracy of birth, wealth, and education, the principle of minority representation has been recognized and incorporated in the constitution. This was done in 1867; and again in 1870 it was reaffirmed upon a motion to repeal the act of 1867. This motion was opposed by such statesmen as Bright and Gladstone, and defeated. What was the act of 1867, and why did those holding the supremacy in legislative power make the concession it involved? It gave one representative to the minority in every county entitled to three members of Parliament, and it wisely anticipated the time when universal suffrage would unsettle the tenure of political power, when those who now ruled the country might themselves be thrown into the minority.

This principle of minority representation is what is recommended by the committee, and it comes with the sanction of an authority that is of the highest dignity with those on whom the decision of this question devolves. If there is any name revered above all others by the republicans, it is that of Mr. Lincoln. And what do we perceive in the State from which Mr. Lincoln came? The legislature of Illinois is represented to have been as incompetent as ours—representation as imperfect; and to cure these evils, the same as we are suffering from, they adopted in their election laws the very principle recommended by your committee—the principle of cumulative voting. By a vote of one hundred thousand majority, the people resolved to give to the minority that representation without which universal suffrage is not universal representation.

I hope there will be no difference of opinion in the State on this question. I have the honor, Mr. President, to share with you the privilege of representing in this convention the Chamber of Commerce of Charleston, a body in whom the people of Charleston have much confidence; and I feel myself constrained, if not instructed by their known sentiments, to conduct myself with moderation in these discussions. I have always been persuaded of the wisdom, and even the necessity, of great calmness in reviewing the results of the late war. Looking at the other side of the question, I saw that the republican party of the North, which had been the war party, which had carried the country triumphantly through the war that threatened the Union, was destined to become the national party, and for some time to hold the reins of Federal power. They held that power when the war closed; it was not in human nature to surrender it. And to have left the election laws as they stood before the war, and at the same time to have restored the Southern States to the Union, would have been practically a voluntary surrender of all their political power. Every vote in the South would have been cast for the democratic party, and their success been made certain. The only salvation of the republican party was the establishment of universal suffrage at the South. It was a political necessity with them. We could not have expected anything else. What has been done we do not desire to undo; all that we ask is to have the recognized and admitted defects of universal suffrage, in its practical application, redressed. The people of the South stood up manfully during the war in defense of their principles. They believed slavery to be an institution founded by the Author of all good, for wise and gracious purposes; the pious and good entertained that belief; and feeling their high responsibility, struggled against the sentiment of the world. And, sir, when that same Providence in an unexpected hour, and in an unexpected manner, relieved us from this great charge, the people of this State acquiesced in its decree. No man believes that the restoration of slavery in this country is possible or desirable. If such a possibility did exist, and it were ever submitted to the vote of this convention, my conviction is that not a voice would be raised in its favor. Having then relinquished much, for which so many of our people suffered and bled and died, may we not call upon our fellow-citizens in the other States to sustain us in this necessary measure of protection? I believe, sir, that they will applaud and support this measure. I do not distrust the people of the North; I have confidence in their sense of justice. I do not despair of our own country; we shall rise superior to our present difficulties. Let us neither abandon the constitution under which we live, nor the soil we cultivate, but strive to redress the defects of the first, and to develop the rich resources of the last.

Mr. John L. Manning renewed his motion to lay the report and resolutions upon the table.

Mr. Gary requested the gentleman from Clarendon to give his reasons for making the motion.

Mr. Manning rose and spoke as follows:

SPEECH OF EX-GOVERNOR J. L. MANNING.

I suppose that no man is more illy prepared to discuss this point than I am this evening; but, having strong convictions, I will do so. The question seems to me, sir, to consist in this: Whether we, by this cumulative voting, shall be confined to one-third the power to which we are entitled. I for one am willing to bind myself by no such

obligation. The history of the world shows us that the modifying influences of intelligence have their effects. This settlement of the question by the committee prevents any further discussion. To think that the people who controlled the government of South Carolina from the time when it first became a colony—to think that they are to be confined to this one point, is a thought that seems to me is abhorrent to the mind of every enlightened man. It is a sort of declaration of weakness to the other element to ask them to yield their influence to control one-third of the State. The true interest, sir, of the people of South Carolina is to enlighten the whole representative mind in the State to enact laws for the benefit of the whole people. Whenever you restrict the mind of the individual people you restrict the liberties of the land. It is by the homogeneous element of the whole State only that the State can be formed. When you confine the action of a citizen by incorporation or restrict it by other means, you restrict the right of will and the right of action. The principles of human liberty are just as free, sir, as the air of God's heaven.

A compromise! No, sir. There is a better voice to appeal to, and that is the voice of the world. Give us justice, sir, and equal laws, and you will have citizens who will obey the laws. I say for one that of all the law-abiding people of the United States, this has been the most. It is the maladministration of the laws that gives us all the trouble. There is no qualification to the sentiments I make. I will never compromise my rights as a whole for an integral part, let others modify their sentiments as they choose. Give us equal laws, and we would have proper representation; then will we have justice throughout the land, and every man may sit down under his own vine and fig tree.

Mr. Gary spoke in reply, as follows:

SPEECH OF GENERAL M. W. GARY.

MR. PRESIDENT: As the chairman of the committee which prepared and presented that report, through Mr. Thomas, one of its members, it may be expected that I should give my views. I would ask: Why have we gathered together from all parts of the State? Why have the wise men of the State met in counsel? From the fact that taxes have been levied by the present legislature, which, in our impoverished condition, we are unable to pay. To say that these abuses of the government have been effected by the republican or radical party would be unjust, for it would be a gross misnomer to dignify those now in power by any party name. They are known by all honest men, North, South, East, and West, irrespective of party alliances, as thieves and robbers; for they are not governed by, nor do they regard the principles and policy embodied in, the platform of the republican party. We have assembled then to take counsel against those abuses of power, to represent the intelligence and the taxpayers of South Carolina, and to enter a solemn protest against the past record of those in power. How can we reach the evils? It is known to all that the legislature imposes the taxes. We must then seek to control the legislature through its members. These are elected every two years by ballot. Then the first thing to be done is to petition them to repeal or modify the existing election laws, since they were notoriously enacted in behalf of fraud. The boxes are kept in the hands of the managers of the polls days and nights after the polls are closed, giving ample time to change or to stuff the boxes with fraudulent votes.

But we have a majority against us of 30,000 votes, and even if by a repeal of the present election laws we could secure a fair election, this immense majority still remains. I am as far from surrendering my rights as any member of this convention, nor am I willing to throw aside any principle. If we can secure a respectable minority in the legislative body, do we not gain a stand-point from which to work?

I am not here to discuss abstract theories of government; we had enough of that in the days of Mr. Calhoun; but to meet a crying evil, to take a practical view of our anomalous condition; and I accept the cumulative system of voting in the same spirit that I would receive a half loaf as being better than no bread at all.

In presenting the report I do not think the committee intended to commit themselves as being in favor of universal suffrage. I am sure I did not. My friend, Mr. Trenholm, seems to have fallen into this error. He says: "The principle of universal suffrage is one that commends itself to the intelligence of every man; one that the statesmen of all countries have at times opposed in vain." I would ask what is government organized for but the protection of the lives, liberties, and property of its subjects? The protection of property is the third element in every republican form of government, and if property-holders are taxed without representation, is not one of the essential elements for which government is created violated and disregarded?

Mr. President, my friend mistakes, in my judgment, the action of the English Parliament, and of the States of Illinois and Pennsylvania, as being evidences in favor of universal suffrage. To my mind they appear as indices to a retroactive movement against universal suffrage. When he says that "the statesmen of all countries have

at times opposed in vain universal suffrage," I agree with him. Such is the fact; but when he tells me "the principle commends itself to the intelligence of every man," I again differ with him in toto. I have always regarded the cry for universal suffrage as that of the demagogue who is willing "to build his greatness upon his country's ruin." It is the watchword of the mere politician who has not patriotism and honesty enough to elevate him above a party platform. Those who have reached and aspire to a level above that of any party, their country's good, will have their names inscribed against this monstrous political fallacy. I do not believe that any one who has studied and become imbued with the philosophy of true government could ever lay his hand upon his heart and advocate universal suffrage. It is the subterfuge of the politician who caters to ignorant masses for personal aggrandizement.

I did not propose to refer to national politics in this convention, and I regret that any allusion should have been made to them, directly or indirectly. Nor did I intend to bring in review the principles of the recent revolution, for I am, for one, willing to let by-gones be by-gones. I am content to live without office and honors, for the principles for which our gallant living and heroic dead fought, *Constitutional Liberty*. I do not think it becomes us to-day to refer to the past, but I must take this occasion to say that, in my judgment, the people of the North do not understand and appreciate the present sentiment of the best people of the South. Our prejudices against them are fast dying out, since slavery and secession, which were the irritating causes, are now dead issues. The President and his administration, as well as Congress, labor under a grievous mistake in supposing that we are opposed to the present Government simply because it is under the control of radicals, or republicans.

It is not the fact. We are opposed to it, because it does not faithfully administer the laws, and from the fact that we are plundered under the forms of law.

Our people are an agricultural people, and do not mix a great deal in politics. Two-thirds of them scarcely know the difference between the platforms of the democratic and republican parties. But when their taxes are doubled in twelve months; when, from the low price of cotton, they are not remunerated for their labor, and are unable to pay their excessive taxes; and when they see, under the present form of the tax law, the sale of their lands by its terms and provisions is equivalent to confiscation, are you surprised to hear the complaint of brave men, driven to despair, from the seaboard to the mountains? When they turn their eyes to the General Government for its protectingegis, they are met by the assurance in high places, "You are plotting treason, and do not deserve our sympathy or protection." When we look to our State government, we are simply endeavoring to make terms with ignorant and uneducated thieves and robbers.

We have assembled then to give warning to the world that we will not be bound by the future acts of those who now misrule us. I do not know that any good will come from these resolutions. We presented them simply to respond to the suggestions of the attorney general, as set forth in his recent letter, and also to the sentiments which we understand have been expressed by the governor. If they are honest in their assertions, these resolutions may become the opening of a better and happier future for us.

I regret that I have been betrayed into the discussion of these resolutions. They were hastily prepared. And I regret that a want of preparation on my part may have done injustice to the importance of the subject.

I have simply attempted to give you a few of the practical views that influenced the committee in reporting them.

Mr. Cannon moved to refer the resolutions to the executive committee, and spoke as follows:

SPEECH OF HON. G. CANNON.

I fear we have misunderstood the reasons for which we have assembled. We do not come here in opposition to any government, United States or State. We do not oppose any party. I acknowledge the reconstruction acts, and, for one, intend to obey them as the law of the land. Let us look about and try to discover if there be evils. We are here to see if fraud does exist. I am glad to see that the assistance of State officials is tendered us. I hope that the account of this convention will correct many false impressions that have gone abroad throughout the State. I regret that there should be violence in any portion of the State, and I hope that the members will use all their influence to preserve the public peace. More time is needed to examine into this system of cumulative voting. I therefore move that the resolutions be referred to the executive committee.

Mr. Cannon moved to lay the motion of Mr. Cannon on the table, and spoke as follows:

Mr. PRESIDENT: I have listened with much pleasure to the interesting and able report of the committee, and to the remarks of the gentleman from Richland (Mr. Thomas) in support of it. I have also listened attentively to the remarks of other

gentlemen; but, I submit, if the discussion is to take the range indicated, the sooner we vote upon the main question the better.

Mr. Chesnut called for the reading of the report again.

The report was read.

The chair ruled that it was not parliamentary to refer the report of one standing committee to another standing committee.

The motion of Mr. Cannon was withdrawn.

Mr. Chamberlain spoke on the report and resolutions as follows:

GENTLEMEN: I am aware, from the length of this debate, that the convention are anxious to reach a vote on the subject. While I had hoped to have spoken upon it at some length, I shall better promote the object which I have at heart by confining myself to a few remarks. We are here, if we are honest in our declarations, simply as citizens of a common State, and not as members of political parties. We are interested alike in the welfare of that State. My position here is peculiar, and, in many of its features, trying. On all sides I am surrounded by members of a political party to which I do not belong, and in coming here I have left behind me those with whom I have hitherto been associated in my political career.

But, anxious as I am to save the common peace and welfare of the State, I say to those who taunt me for my conduct that neither they nor any one else can read me out of my political party, with which I have chosen to associate myself. Pardon me for saying again, however, that outside of this convention I am a republican, and it is because I desire to vindicate the decency of republicanism that I am willing to hazard all political prospects in an honest effort to promote the cause of right, and to save the State.

In the first place, gentlemen, it is necessary to modify the absolute control which a mere numerical majority has obtained over the State, and to secure for intelligence and property a proper representation in the affairs of the government. And, looking about for some device which, without violence to the fundamental principle upon which our government rests, will bring relief from the grievances which afflict our people, I have fixed upon this system of cumulative voting, because it is not only just in its theory, but it will prove itself right in its results. It takes nothing from the rights of the majority. It gives them a predominating control, but not an absolute disposition of the entire fortunes of the State. Do you believe for a moment, then, when you put into an ignorant assembly, many of whom can neither read nor write, forty-seven gentlemen, whom I might select in this body, that you would not shame them into decency, or frighten them from crime? [Applause.] Who does not know that the presence of one honest man puts to flight a band of robbers? Now, according to this system, you deny nothing that belongs to the majority, but, from the moment you place in the lower house forty-seven of your ablest citizens, bad legislation will cease, and good legislation will begin. Are the opponents of this measure on this floor so intense in their devotion to political ideas that they will refuse a proposition which gives to them a representation of one-third, and a corresponding influence in public affairs? I hope not; for when, by force of political success, they have gathered a majority of the State to their side, there will then be left to us who differ the same rights we are now according to them. Is it not fair, just, right? Its immediate results are relief from present grievances, and it points to the future, where all interests, no matter what may be the political fortunes of the State, will be protected.

Now, I say to you, gentlemen, give us who have to do with making this practicable something that we can honestly take back to our political associates, and, in the name of the property and intelligence of the State, secure this right. Let there be peace between us now, and prosperity hereafter. Strengthen our hands, who desire to do what in us lies to make South Carolina safe for every man in his life, career, and private interests. I say again, it is right. Grant it.

Mr. A. M. Lowry, from Chesterfield, renewed the motion to lay the report and resolutions upon the table.

The motion was lost.

The question then recurred on the adoption of the report and resolutions; which was decided in the affirmative.

Mr. Lowry called for the ayes and noes.

The call was not sustained.

Mr. Chesnut, from the executive committee, to whom was referred the resolution of Mr. Chamberlain relative to prevailing violences, made the following report:

The executive committee, to whom was referred the resolution of Mr. D. H. Chamberlain, of Richland County, directing the said committee "to inquire into the alleged violence now prevailing in the several counties of the State, and to report upon a plan for the execution of the laws against such violence and the better protection of all our citizens in their lives and property throughout the State," ask leave to report:

They have considered the subject with the deliberation its importance demands. They have learned with regret that violence has prevailed, to a greater or lesser extent, in several counties. But they feel bound to say with much satisfaction that in by far

the larger number of the counties of the State, not a single instance of such violence has been brought to their attention.

Bad government, corruption in high places, set the example of moral decadence and disregard of law, which is often readily followed by those upon whom the laws are intended to operate.

Your committee are constrained to believe that larcenies and incendiarism practiced by ignorant, deluded, and bad men, suggested in many instances and encouraged by a class much worse and more responsible, were among the initial causes of the first cases of violence. Afterward, it appears, there followed instances of corporal punishments and homicides, perpetrated by unknown persons upon citizens, and even upon a few officials of the government, who seemed to have become obnoxious to many in the communities wherein they lived on account of supposed injustice, fraud, and oppression. These are all lamentable truths, which the committee feel called on unequivocally to deplore and condemn.

Your committee believe that an effectual remedy for these evils will be found in good government—the removal of all dishonest, incompetent, and bad men from office, and the appointment thereto of men (no matter of what party) who are honest and competent, and who feel the obligations which official station should impose, and who will promptly and faithfully execute the laws.

JAMES CHESNUT,
Chairman Executive Committee.

The report was made the special order for to-morrow, at 12 m.

Mr. Chesnut, from the executive committee, made the following report:

The executive committee, to which was referred a resolution to appoint a committee of five to confer with the governor as to the postponement of the collection of taxes, beg leave to report:

That they have considered the same, and recommend that the resolution do pass.

Respectfully submitted.

JAMES CHESNUT, *Chairman.*

Also, the following report:

The executive committee, to which was referred a resolution to report a plan to provide for the necessary expenses of this convention, beg leave to report:

That they have considered the same, and recommend that each delegate deposit with the secretary the sum of five dollars for that purpose.

Respectfully submitted.

JAMES CHESNUT, *Chairman.*

The reports were made the special order for to-morrow, at 12 m.

Mr. Smart, from the executive committee, made the following report:

Your committee, to whom were referred the resolutions providing that the executive committee, with the president of this convention, shall have it in charge to protect the interest represented by this convention during the interval of adjournment, to keep in view the current legislation, and to call the convention together at such time as they think proper, beg leave to report:

That they have had the same under consideration, and recommend its adoption.

Respectfully submitted.

H. C. SMART,
For the Executive Committee.

Mr. Chesnut, from the executive committee, made the following report:

The executive committee, to which was referred the paper presented by Hon. C. W. Dudley, of Marlborough, beg leave respectfully to report:

That the paper has received the careful consideration of the committee; that it has been amended, and in its amended form is now reported to the convention, with the recommendation that it do pass.

Respectfully submitted.

JAMES CHESNUT, *Chairman.*

The delegates to the tax-payers' convention, now met and sitting in Columbia, South Carolina, desiring to be fully understood by their fellow-citizens of this State and of the United States, declare:

1. That they meditate no resistance whatever to the Government of the United States, and intend, in respect thereof, to conduct themselves as peaceful and law-abiding citizens.

2. That we regard the reconstruction measures as finalities, and recognize them as a portion of the established laws of the land.

3. That we look to time and peaceful agencies only for the solution of any difficulties that now, or may hereafter, exist in the administration of the public affairs of this State;

and we entertain the hope that all the changes and modifications that may be desired in that connection will be effected by the quiet influence of an enlightened public opinion.

4. That the exigencies of the times demand from the people other efforts than those intended to promote the success of any "party;" their true interests consisting in uniting with good citizens of any and all parties in advancing the welfare of every section of the State, and all classes of the people.

5. That certain measures of reform are essential to the peace and prosperity of the State. That prominent among these are :

I. The adoption by the legislature of some method of voting which will secure a representation therein of a minority of the voters.

II. Retrenchment in the expenses of the State government, by abolishing every office that could be dispensed with, reducing the salaries of public officers, and requiring strict economy in the administration of the several departments of the government.

III. That the public debt shall not be increased; and that his excellency the governor be requested to prevent, if possible, the issue and negotiation of the bonds authorized by an act of the legislature "to create a debt of the State of South Carolina to be known as the sterling funded debt," &c.

IV. To be relieved from paying two annual taxes in one year, as is now most oppressively provided by law.

V. To have the various offices in the State filled by competent and trustworthy incumbents, so as to secure the prompt and efficient execution of the laws, instead of the mode now adopted of selecting them from the dominant party, without regard to their qualifications.

VI. Such an amendment to the law in regard to elections by the people as will protect them from fraud either in the control or counting of the ballots.

VII. That the pay and mileage of members of the legislature be reduced to the limits prevailing previous to the adoption of the present constitution, and the duration of the sessions of that body be made to conform to the absolute necessities for legislation.

Believing that the principles above professed really actuate the great majority of the people, it is the purpose of this convention to attain the ends above indicated, and such other kindred measures as may appear necessary hereafter, by such peaceful and legitimate means as comport with the duty of good citizenship, and not otherwise.

The report was made the special order for to-morrow at 12 m.

Mr. Aldrich, from the executive committee, to whom was referred the resolution of Mr. Aldrich, made the following report :

TAXATION AND REPRESENTATION.

The executive committee, to whom was referred the grievance of taxation without representation in the taxing body, and to suggest a remedy for the existing evil, beg leave to report, that the present political and financial condition of South Carolina is a forcible and melancholy illustration of the evils resulting from taxation without representation. The judicial investigations lately had in the United States court for this district prove, beyond controversy, that astounding frauds were practiced in the late election, and demonstrate the necessity of a remedy. The theory of the Constitution is, that the people shall be fully and fairly represented, and provision is made in that instrument to protect minorities. Thus, in the House of Representatives, the whole body of the people is represented, and the majority rules. In the Senate, the States are represented, and the smallest State has an equal vote with the largest State. The one is intended to be a check on the other. While the war lasted, passion took the place of reason, the States represented in the Senate set aside the Constitution, forgot their sovereignty, and blindly followed the lead of conquest. Since the war, the States that struggled for what they supposed was a constitutional right have not been represented, their Senators have not been natives, or, if natives, not representative men, so that the check of the States, as represented in the Senate, has been entirely lost, and, of course, all legislation has been partisan, sectional, and vindictive.

The same feature which characterized the congressional legislation was incorporated into our State government. The parish system which existed in our State constitution before the war operated as a check upon the legislation of the majority. The new constitutions of '65 and '68 abolished that conservative element. Under the constitution of '65 it is possible no evil would have resulted, because intelligence and property were equally represented; and all the voters belonged to the same caste. Under the constitution of '68, however, a new element was brought into the voting power—men of a different race and caste, uneducated slaves, just emancipated, an impressible people, whose passions and prejudices could be easily excited, were suddenly clothed with the elective franchise, and made not only a power, but the controlling power in the State.

Considering our condition, then, the result was inevitable. The newly enfranchised were not only jealous of their acquired liberty, but suspicious of the feeling and intentions of their late owners. They were ignorant of political affairs, totally uninstructed

in the science of government, and naturally turned to the men who had flocked here as birds of prey. It was equally natural for the native, respectable and intelligent white people, who had heretofore controlled affairs, to feel a supreme disgust, and to hold themselves aloof from this mass of ignorance and vice.

It must also be remembered, that all the gentlemen in the State, of experience, patriotism, and virtue, were laboring under the political disabilities of the reconstruction acts, which prevented them from taking part in legislative proceedings. But time and its healing influences have shown to the colored people that the white people have no disposition to deprive them of any of their rights, civil or political, that have been conferred on them. It has proved to the white people that the colored citizens generally feel no enmity against them; are not disposed to oppress them, and are willing, if not anxious, to avail themselves of their learning, experience, virtue, and patriotism. It has also proved to the adventurers, white and colored, that the eyes of the *native colored people* are open to their selfishness and rapacity. Having arrived at this conclusion, the question is, how can we avail ourselves of the power of this native element and get rid of the bad influence which has heretofore controlled it, using the colored people as mere voting chattels to plunder and ruin this devoted State. They need and desire the virtue, intelligence, and experience of the native white people. The white people cannot maintain the ancient virtue, dignity, and honor of this old State, unless the native colored people will coöperate with them. The corruption of the State government is notorious; bribes are openly offered to and received by senators and representatives; high officials are engaged in speculating in stocks and bonds of the State. All these great crimes are being perpetrated freely here, in the capital, and there has not been the first prosecution commenced to prevent them. In a word, the ancient honor of the proud old State is lost and gone. Every white man and every colored man who is a native South Carolinian must deplore this disgraceful and humiliating condition.

Your committee believe that the public mind is ripe to correct this evil and cure this disgrace; they therefore propose the following resolution:

Resolved, That we recommend to the legislature the passage of an election law, by which the 60,000 tax-paying voters will have a proportionate representation in the legislature of the State, with the 99,000 voters who pay no taxes; a proposition so just, reasonable, and conscientious, cannot fail to recommend itself favorably to every right-minded citizen.

The report was made the special order for to-morrow at 12 m.

The convention then adjourned till to-morrow at 12 m.

THIRD DAY'S PROCEEDINGS.

THURSDAY, MAY 11, 1871.

Pursuant to adjournment, the convention met at 12 m., the president, Hon. W. D. Porter, in the chair.

The president announced the convention ready to proceed to business.

The secretary read the journal of yesterday's proceedings, which, on motion, was confirmed.

SPECIAL ORDERS.

The convention proceeded to the consideration of the special order for to-day at 12 m.

Report of the executive committee on resolution relative to expenses of the convention.

The report was adopted.

The convention proceeded to the consideration of the second special order.

Report of the executive committee on resolutions of Mr. Dudley on the objects of the convention.

The report was adopted, and the resolutions, as amended, agreed to.

On motion of Mr. Butler, from Edgefield, the further consideration of special orders was suspended.

Mr. Butler asked and obtained unanimous leave for the committee of eleven to sit during the sessions of the convention.

The convention resumed the consideration of special orders.

The third special order was taken up for consideration.

Report of the executive committee on the resolution of Mr. Chamberlain regarding violences in certain counties of the State.

The report of the committee was adopted.

The convention proceeded to the consideration of the fourth special order.

Report of the executive committee on resolutions giving power to the executive committee to reassemble the convention.

The report was adopted.

The convention proceeded to the consideration of the fifth special order.

Report of the executive committee on the resolution of Mr. Simons to appoint a committee of five to wait on his excellency the governor to secure a postponement of the November tax.

The report was adopted, and the resolution agreed to.

The convention proceeded to the consideration of the sixth special order.

Report of the executive committee on the resolution of Mr. Aldrich relative to taxation without adequate representation.

The report was adopted.

REPORTS OF COMMITTEES.

Mr. Chesnut, from the executive committee, to whom were referred the resolutions of Messrs. Smart and Chamberlain, made the following report:

The executive committee, to whom the resolutions of Mr. Smart and Mr. Chamberlain, in relation to the accounts of the State with the financial agent, &c., were referred, ask leave to report:

That the subject-matter of these resolutions having been referred to the committee of eleven, the committee ask to be discharged from the further consideration of the subject, and that the resolutions be passed to the said committee of eleven.

Respectfully submitted.

JAMES CHESNUT, *Chairman.*

The report was considered immediately, adopted, and the resolution referred to the committee of eleven.

Mr. J. H. Screven, from the committee on election and suffrage laws, to whom was referred the resolution relative to memorializing the legislature on repeal or modification of existing election laws, made the following report:

The committee on election and suffrage laws, to whom was referred the resolutions as to the expediency of memorializing the legislature for the repeal or modification of the existing election laws of South Carolina, respectfully report: That they have given the subject the earnest consideration which its importance demands. The committee recognizes in the present mode of counting the ballots the fruitful and original source of present political troubles; creating distrust in the minds of law-abiding citizens, on account of the power of the custodians of the ballot-box to defeat, by fraud, the intent and sovereign rights of the electors. Recent developments, and convictions of high officials at Charleston, in the United States court, after patient, laborious, and expensive trial, confirm the apprehensions and convictions of the citizens as to the absence of security for the future purity of the ballot-box.

Your committee are familiar with the conservative conduct of elections and safeguards of the ballot under the old laws of the State. Parties of any political complexion felt assured of the honest result of every election, so firm was their knowledge of the inviolability of the ballot-box in former times. The present system invites conspiracy, and opens wide the door to the perpetration of every fraud. When the high sheriff of a county, whose powers are second only to those of the chief executive of the State, has been convicted in the metropolis of the State by a jury of his choice, in a forum removed from local prejudices and bias, it is full time for the citizens to sound the alarm, and memorialize the legislative power for relief.

To this end, this committee recommend the reference of this report to the executive committee for further action:

To confer with the governor, and invite his coöperation in a memorial to the legislature, at its next regular session, for such changes in the present election law, and especially in such parts thereof as relate to the custody of the ballot-boxes for the period of ten days after elections, before the count is declared.

J. H. SCREVEN,
For Committee.

The report was considered immediately, adopted, and referred to the executive committee.

Mr. Greenfield, of Richland, introduced the following resolution, which was referred to the executive committee, under the rule: Whereas by a joint resolution, dated March 26, 1869, a committee was appointed from the senate and house of representatives for the purpose of investigating irregularities in the election in the third congressional district; and whereas it is believed that a larger amount has been drawn from the treasury than has been properly accounted for: Be it, therefore,

Resolved, That the executive committee be instructed to inquire into the matter, with a view of determining what action should be taken in the matter, if any.

The convention took a recess until 4 p. m.

EVENING SESSION.

The convention reassembled at 4 o'clock, the president, Hon. W. D. Porter, in the chair.

The president announced the convention ready to proceed to business.

The president announced the following committee of five, under the resolution of Mr. Simons, to wait on the governor to secure postponement of taxes:

Messrs. T. Y. Simons, W. M. Shannon, M. L. Bonham, James H. Giles, J. P. Richardson.

REPORTS OF COMMITTEES.

Mr. Warley, from the executive committee, to whom was referred the resolution to inquire and report on execution of mortgage of the Blue Ridge Railroad to Henry Clews and others, made the following report:

The executive committee, to whom was referred the resolution to inquire and report "upon what terms and for what consideration the making and execution of the Blue Ridge Railroad Company and other companies, of a mortgage to Henry Clews, Henry Gourdin, and George S. Cameron, to secure the payment of certain bonds, was ratified and confirmed by the legislature, and the said mortgage declared to be a lien prior to that of the State on all property described in said mortgage, and on the entire line of the Blue Ridge Railroad, and on all other properties of the several companies, or which they or either of them may hereafter acquire;" and also to report "what action, if any, can be taken by this body to prevent the subordination of the State's lien upon the Blue Ridge Railroad and the entire properties of the other companies to junior claims of private individuals," beg leave to report:

That, upon a careful examination of the act of the legislature, we can reach but one conclusion: That, for some reasons unknown to your committee, the legislature has, without consideration, relinquished to private individuals the State's lien upon the Blue Ridge Railroad and the entire properties of the other companies, (styled companies in the act,) the Greenville and Columbia Railroad Company. Such dealings by trustees with the property of funds of their *cestui que trust* can only be the result of fraud, are unauthorized by law, and are void.

Your committee need not dwell upon the poverty of the State and her utter inability to enrich private individuals or corporations by such munificent gifts, or upon the fact that legislators, however generous they may be, are not authorized to devote public funds to the use and benefit of their friends or patrons.

As to the second branch of the resolution, your committee can suggest no better plan as a remedy than is embraced in the following resolution:

Resolved, That the tax-payers' convention, relying upon the high legal attainments and recognized patriotism of Messrs. Porter & Conner, counsellors at law, request them, in the name of those whom they represent, to give the matter of this report their careful consideration; and if, in their judgment, it be practicable, to take such steps as are necessary to prevent, by due process of law, the consummation of this fraud upon the property-holders of the State.

Resolved, That copies of this report and the original resolutions be officially communicated to Messrs. Porter & Conner.

Respectfully submitted:

F. F. WARLEY,
For Executive Committee.

Mr. Warley spoke as follows in support of the report and resolutions:

SPEECH OF MAJOR F. F. WARLEY.

MR. PRESIDENT: We have assembled for the purpose of ferreting out and exposing fraud, and to attempt to check it. While much has been said of the sufferings of the State, of the unjust measures which have been enacted, of unblushing corruptions and undisguised frauds, not one word, sir, has been uttered in condemnation of the authors of these frauds in legislation and of this corruption which calls so loudly for correction.

Had not Satan entered the garden as a tempter, our parents would not have sinned. And it is worthy of remembrance, that when the curse fell upon the tempted, it was coupled with a promised blessing; but to the tempter, it was unmixed with hope. There is no sin uninduced by temptation; there can be no corruption without corruptors; and we fail to discharge the duty we owe to those who sent us here, if we do not endeavor to seek them out. The legislature of South Carolina, ignorant as it is, could not have been bribed without money; that money must have been furnished from some source; that source, it is our duty to endeavor to discover.

We should, in this matter, "cry aloud and spare not." We should, if we would

faithfully discharge our duty, ferret out the guilty, and drag them to the bar of public opinion, as well as to the bar of public justice. When we evince a determination to do this, we will have commenced the purification of our government; and if we persevere in the effort, the day will soon dawn when we may say to an oppressed and ruined people—"Fly not; stand still; corruption's debt is paid."

I fear, Mr. President, that our suffering, heart-broken, and impoverished mother has not been the victim of strangers alone; that it is not only the deservedly-abused carpet-bagger who revels amid luxuries purchased with money stolen from her. If we could tear the hands of the spoiler from her emaciated person, methinks the rings upon the fingers of some would declare them members of our household. For one, I am not afraid to denounce such men, in plain and unmistakable language, simply because they are "native here and to the manner born;" for, in denouncing them, I am discharging a solemn duty, which I owe to my poor, ruined country.

In this report, we grapple not with the legislature alone; we grapple, besides, with two powerful and influential corporations; two corporations which have been so constantly about the legislature, that the names of the three are intimately associated in the minds of all. Like Lazarus, they have laid at the rich man's door and have craved the crumbs which fell from his table; the rich man's dogs have, time and again, licked their sores—here the parallel ceases, for these beggars have not yet died. This contest may seem unequal; but, sir, I am encouraged by the fact, that I am advocating honesty, justice, and truth, and opposing fraud, speculation, and theft. And I am encouraged boldly to take hold of the flimsy drapery which hides the hideous deity of corruption from the public gaze, and expose him in all his deformity; as well as his priests, his votaries, and his worshippers. And this I intend to do.

Now, sir, I desire to disclaim here all prejudice against any corporation within the State; nor am I the blind partisan or paid advocate of any. I approach the discussion of the subject-matter of the report of your committee free from prejudice, but with a firm determination faithfully to discharge what I conceive to be a high public duty; and I hope to be able to do so, not only faithfully, but fearlessly; asserting as I now do, that I claim no exemption from personal responsibility.

It is known, Mr. President, that during the session of the last legislature, measures were introduced into both houses, looking to the benefit of the Greenville and Columbia Railroad ring, (for it had ceased to be a company,) and at the same time to the destruction of the Blue Ridge Railroad Company. I desire, in this connection, to refer more particularly to Mr. Whittemore's bill to withdraw the indorsement of the State from the bonds of the Blue Ridge Railroad Company, to the amount of four millions of dollars. The passage of this bill would have been a death-blow to this company. It may be, and it probably is the truth, that to save itself this company associated with that mass of corruption, the Greenville and Columbia Railroad ring, the instigator and principal agent in the stupendous fraud which resulted from the association. Am I to be told that under such circumstances the managers and officers of the Blue Ridge Company were justified in resorting to deception, bribery, and fraud? This may furnish a *reason*, but it supplies no *excuse*.

When this particular act of legislation was engaging the attention of the legislature, the officers of the Blue Ridge Railroad Company came here prepared, by fair means or foul, to defeat it. Its defeat would render nugatory a measure in the house which, in contemplation of the passage of Mr. Whittemore's bill, was intended to benefit very materially the Greenville and Columbia ring. Thus while the Blue Ridge Company, by defeating the bill, would save itself, it would strike its old enemy, its life-time foe, severely. The president of the company asserted, when before your committee, that he came prepared to spend a half million of dollars to defeat the bill; and more than that, he has boasted in our presence that he did defeat it by bribing State senators, one or more. The Blue Ridge Company not only entered into bad association for bad and corrupt purposes, but had shown itself capable of proving a valuable ally in any enterprise in which success depended upon corruption and fraud. These companies engaged in a common cause, and must share in common the opprobrium which attaches. And, Mr. President, just here let me observe, if the Blue Ridge Railroad Company, which has been fostered by the State, has engaged in corrupting the legislature and robbing the treasury, am I not right in saying that it is time for us to inquire who are the corruptors of our public officers and law-makers?

What next? We find the Blue Ridge Railroad coalescing, confederating with the Greenville and Columbia ring; a ring which, at that time, had a record that the very smokes of hell could not render darker or more disgusting; a record which is no clearer to-day than it then was.

But the Greenville and Columbia Railroad Company also has a history. Certain men, well known to this convention, acting as agents for a ring of speculators, had, by deception and misrepresentation, purchased the stock held by private individuals at a nominal price. The governor, by authority of the legislature, then sold the State stock in this company to the same "ring," in which high State officials are the chief jewels. I have authority for saying that money to make these purchases was raised by hypothe-

eating State bonds. So, then, the corporation known as the Greenville and Columbia Railroad Company passed into the hands of private individuals who never paid out of their own pockets one cent for the stock, and became, what it yet is, a disreputable ring of state officials, carpet-baggers, scalawags, and bankrupt stock jobbers.

Both of these corporations were in trouble. On the one hand, the Blue Ridge Railroad Company could raise no funds on the faith of the State's indorsement, because the conditions of that indorsement restricted them to selling the bonds at or above *par*. On the other hand, the Greenville and Columbia ring was powerless to raise money, because there was an existing lien in favor of the State, on its whole property, and upon all property it might acquire.

Such was the condition of things when these corporations confederated to defraud the tax-payers of the State, and mutually to enrich themselves. What was their scheme? To quit fighting each other, and to unite their influence and their money to secure the passage of an act based upon a proposed consolidation, by which, but *without* consolidation, each would get what it wanted. The Blue Ridge Railroad Company would secure the privilege of selling its indorsed bonds at any sacrifice; and the Greenville and Columbia ring, by the subordination of the State's lien to the claims of private individuals, would be enabled to raise \$1,500,000, as the fruits of their purchase made with public funds, as I have already shown.

To accomplish this end, to consummate this scheme of fraud and villany, they concoct the extraordinary act of assembly which has provoked this investigation. Gentlemen of the convention, some of you have been familiar with legislation in South Carolina for many years. I see around me some who legislated for the Commonwealth in connection with Cheves, Hayne, McDuffie, Calhoun, and a host of others, whose names are household words about our desolated fire-places of to-day. I say to you: Read this act, and I venture, with your long experience, you will pronounce it the most remarkable piece of legislation ever brought to your attention. The two corporations go before the legislature and represent the great advantage and many blessings which will result to the State as the consequence of their consolidation; and they ask the legislature, in view of the many public advantages to result therefrom, to grant them certain favors. What they have wished I have already stated. Just allow me to add here, that their modest request involved the subordination by the State of her first lien upon their respective roads, for amounts exceeding six millions of dollars, to the junior claims of private persons. This act is prepared, passed, and ratified. All that these corporations ask for is given; not, however, upon the consolidation being actually effected; but to use the words of the act, "in view" of the proposed consolidation, these great favors are granted by legislative enactment.

Those of us who are lawyers know that a law without a penalty is an anomaly in legislation. Yet, mark you, while all the benefits of this act accrued to these corporations by virtue of its passage, the penalties do not attach until *after* the consolidation. It is an established fact that this consolidation will never take place; that it was never contemplated by the parties to this fraud; and that the Greenville and Columbia ring are now negotiating a sale of their road to the South Carolina Railroad Company. In other words, this is a law without a penalty. Now, gentlemen of the convention, is not the fraud of these corporations fully exposed? Have they not combined, and, by fraud and deception, used the legislature to enable them to rob the tax-payers of the State?

But, sir, the Blue Ridge Railroad Company puts in two pleas. Avoiding, entirely, the questions of fraud, it answers, first: The lien of the mortgage of Crews & Co. was superior to the State's lien prior to the passage of the act. For, say they, the State's lien grew out of its statutory mortgage, under which the lien attached upon the comptroller-general indorsing the bonds of the company; but, for some reason, this indorsement was not made until after the mortgage to Crews & Co. had been executed and recorded. Without stopping to inquire how this *happened*, we need only ask: If you really think the lien of the State is, by force of law, inferior to that of Crews & Co., why did you have the contrary declared in the act? This piece of duplicity is one of the many badges of fraud with which the act abounds. Secondly: They say, "The State's lien was under and by virtue of a statutory mortgage and, of course, attaches only to the fifty-six miles of road within the State. So, after all, the State relinquishes very little to us." True; but they forget the further gifts of the act: the privilege of selling \$4,000,000 of bonds at any price they please. But, sir, he who will steal a pin will steal a sovereign. Fraud does not consist in the amount stolen, but in the principle of morals which is violated.

But it may be urged that the Blue Ridge Railroad Company is made to figure too prominently in connection with this fraud. I have only to answer: If any undue prominence has been given to this company, it may be attributed to the language used by its president and attorney before your committee.

Allow me, sir, before concluding, to remark, that the sins of the Greenville and Columbia ring were familiar to the officers of the Blue Ridge Railroad Company; some of them were bound up in the peculations and speculations of that detestable set of

stock jobbers and swindlers; they were peculiarly interested in their financial prospects, and they are so to-day. They knew that these men had spent the money of the State to advance their private ends. I care nothing about the tricks of trade or the rules of financiering. This I know, that he who spends the money of another for his own purposes, is, morally, a thief. He who makes common cause with thieves has no reason to complain if he be regarded as a thief; and we know that he is, of necessity, one.

If I have spoken earnestly, Mr. President, it is because I feel deeply the wrong which has been inflicted on the State by, in part, her own sons. If I have used language which seemed harsh, it has been in the endeavor to express, to some extent, my utter abhorrence and contempt for that false system of morals which makes the ends aimed at justify the means used: which makes the amount of condemnation and the extent of punishment visited upon crime depend upon the wealth and so-called social position of the criminal. I scorn the idea that the rich man in his glory, and the mighty man in his power, may indulge in crime with impunity and be passed by the world with a smile of recognition; while the poor tool he uses is consigned to prison and made the associates of felons. If I have displayed zeal and ardor in this exposure of fraud and vice, it is because I would save the State, not from ignorant and corrupt legislators so much as from rich, aspiring, and unprincipled men, some of them imported, it is true, but many of them degenerate and unworthy sons of that noble, though now impoverished, mother whom they rob.

The report was considered immediately and adopted, and the resolutions agreed to.

Mr. Butler, from the committee of eleven, stated that that committee would not be ready to report before to-morrow.

Mr. Warley moved that when the convention adjourn it adjourn to meet to-morrow at 10 a. m.

Carried.

Mr. B. H. Wilson introduced the following resolution:

Resolved, That the executive committee be increased by adding the names of John L. Manning, M. L. Bonham, and A. Burt thereto.

The resolution was considered immediately, and agreed to.

Mr. James A. Hoyt introduced the following resolution:

Resolved, That the report of the committee on election and suffrage laws adopted by the convention be placed in the hands of a special committee of seven members of this convention, whose duty it shall be to transmit the report as a memorial to the legislature on the subject of proportional representation, accompanied by such suggestions as they may deem advisable in order to secure the passage of a law at the earliest practicable moment after the legislature is convened, that the system of cumulative voting may be made applicable to the next general election, and that the principle may be ingrafted in general upon our system of suffrage; and further, that this special committee be instructed to use their best exertions in favor of the passage of this just, wholesome and equitable provision, so as to bring about a full and complete representation of all the people, and the protection of their rights and interests of persons and property in every respect.

The rule was suspended, and the resolution considered immediately and agreed to.

The convention then adjourned till to-morrow at 10 a. m.

FOURTH DAY'S PROCEEDINGS.

FRIDAY, May 12, 1871.

Pursuant to adjournment, the convention met at 10 a. m., and was called to order by the president, Hon. W. D. Porter.

The president announced the convention ready to proceed to business.

The clerk read the minutes of yesterday's proceedings, which were confirmed.

The president announced the following committee:

*Committee on cumulative voting, (under the resolution of Mr. Hoyt).—*James A. Hoyt, D. H. Chamberlain, M. W. Gary, Edwin J. Scott, W. H. Wallace, B. H. Wilson, Henry Gourdin.

The president requested those delegates who had neglected to enroll their names to do so at the clerk's desk.

The following additional delegates appeared and enrolled:

Colleton County.—J. J. Fox, J. K. Terry.

Mr. Chesnut, from the executive committee, to whom was referred certain resolutions in reference to the sterling loan, made the following report:

The executive committee, to whom was referred certain resolutions in reference to the sterling loan, and obligations which may hereafter be created, beg leave to report—

That they have considered the same, and recommend their adoption, in the following form:

Resolved, That this convention, representing the property-holders and tax-payers of the State of South Carolina, do hereby deem it our duty to declare that the so-called sterling loan, or any other bonds or obligations, hereafter issued, purporting to be under and by virtue of the authority of this State, as at present constituted, will not be held binding on us; and that we recommend to the people of the State, in every manner and at all times, to resist the payment thereof, or the enforcement of any tax to pay the same, by all legitimate means within their power.

Resolved, That we deem it our duty to warn all persons not to receive, by way of purchase, loan, or otherwise, any bond or obligation hereafter issued by the present State government, or by any subsequent government, in which the property-holders of the State are not represented, purporting to bind the property or pledge the credit of the State; and that all such bonds or obligations will be held to be null and void, as having been issued in fraud and in derogation of the rights of that portion of the people of this State upon whom the public burdens are made to rest.

Resolved, That a committee of five be appointed by the president of the convention to investigate and report a plan to restore the credit of the State, and to confer with the representatives of the "fire-loan securities" of the State, which have been practically repudiated by the State authorities, with a view to repair the damage to the good faith and honor of the Commonwealth by influencing an early liquidation of these obligations.

The report was taken up for consideration, and the resolutions considered as a whole. The report and resolutions were adopted.

Mr. Chesnut, from the executive committee, to whom was referred the resolutions of Mr. Adams, of Richland County, in reference to taxation without adequate representation, made the following report:

The executive committee, to whom was referred the resolution of Mr. Adams, of Richland, in reference to the collection of taxes for the year 1871, beg leave respectfully to report—

That having already considered and reported upon the subject-matters therein embraced, they ask leave to be discharged from their further consideration.

The report was taken up for consideration, adopted, and the committee discharged from the further consideration of the resolution.

Mr. Chesnut, from the executive committee, to whom was referred the resolution of Mr. Aldrich, of Barnwell, to appoint a committee of five to prepare and print a truthful statement of the condition of the State now and since the war, made the following report:

The executive committee, to whom was referred a resolution to appoint a committee of five to prepare a report of the condition of the State now and since the war, beg leave to report—

That they have considered the same, and recommend that the committee be raised for that purpose, and that the following gentlemen compose the same, viz: Messrs. A. P. Aldrich, Armistead Burt, J. L. Manning, M. C. Butler, W. D. Porter.

The report was taken up for consideration, adopted, and the committee so appointed.

Mr. Aldrich, from the executive committee, presented the following resolution:

Resolved, That the Hon. Mr. James Chesnut, of Kershaw, be appointed with Messrs. Porter and Conner in discharging the duties assigned to these gentlemen by a report adopted yesterday.

Mr. W. H. Trescott moved the following resolution as an amendment:

Resolved, That the gentlemen to whom has been referred, for their legal opinion, the question whether the legislature of the State has the right to postpone the statutory lien of the State upon the Blue Ridge Railroad, to the lien created by the mortgage of said company to Messrs. Henry Gourdin, George S. Cameron, and Henry Clews, trustees, under and by virtue of the act of 1868, be requested to prepare and publish their opinion at the earliest practicable opportunity.

On the amendment, Mr. Trescott made the following remarks:

SPEECH OF MR. TRESCOTT.

MR. PRESIDENT: I avail myself of the privilege which has been extended to me by your resolution, inviting me to a participation in your deliberations, to move an amendment to the resolution just read:

Resolved, That the counsel to whom has been referred, for their legal opinion, the question whether the legislature of the State has the right to postpone the statutory lien of the State upon the Blue Ridge Railroad to the lien created by the mortgage of said company to Messrs. Henry Gourdin, George S. Cameron, and Henry Clews, trustees, under and by virtue of the act of 1868, be requested to prepare and publish their opinion at the earliest practicable opportunity."

I feel, I confess, some embarrassment in submitting my reasons for the passage of

this resolution, an embarrassment arising not from its subject, but from the character of the body to whom it is submitted. I had been under the impression that this was an assembly of private citizens, who, bound together by common interests and sympathies, had come together for the purpose of exchanging opinions and information, of consulting with all the frankness of old association and long-established confidence upon the condition of the State to which we all belong. But the action of yesterday, if it means anything, implies a great deal more. It means that the body, without legal existence and irresponsible, intends to take charge of the public and private interests of the State—that, without the means of adequate investigation, they assume to approve or to condemn, to create or destroy. Whether this is to be done by the inherent authority of the body, or whether its decrees and behests are to be carried out formally by an arrangement with the nominal State government, I do not know—I do not propose to inquire. I know this, however, that it is the first step in a very dangerous path, and it can make no difference how respectable are the individual elements of a body, without the form and authority of law, when such a body begins to legislate, it is the first step to social anarchy.

But, Mr. President, I do not propose to undo the action you have initiated; I do not even ask you to reconsider what I think unwise; but I do ask that you shall not make it unjust, and stopping just where you have stopped is unjust. What was that action?

In this State there is a corporation, which has under its charge an enterprise which, for nearly half a century, has been cherished by the people of South Carolina with persevering and hopeful assiduity—an enterprise in whose inception was sacrificed the life of one of the noblest and purest of your statesmen—him whose effigy, in the better days of your commonwealth, you placed upon the portals of your capitol, as the emblem of public honor and integrity, that your legislators, as they passed beneath the shadow of his fame, might carry with them to their daily duties the memory of his life, aims, and deeds. From the days of General Hayne, until to-day, the State has never stinted her aid, and his successors have labored through good and evil report, through difficulties almost insuperable, through embarrassments scarcely conceivable, to complete that great work—that direct communication with the West—upon which the future prosperity of this State depends—the prosperity, especially, of that metropolis, once the pride of Carolina, and whose piteous cry of oppression and despondency has assembled you here to-day. Well, in the progress of time, in the process of its work, the president and directors of that corporation have deemed it judicious to ask of the legislature certain legislation—what the character of the legislation is I will discuss directly; at present, I confine myself to this simple statement—that they asked and obtained legislation which they deemed advisable for the use of the securities which the State guaranteed, and which guarantee, remember you, has been neither impeached nor directly discredited. Upon the faith of the legislature, that corporation has gone upon the market for the negotiation of these securities. What do you now propose to do? You adopt a report containing certain statements, and a resolution calling for the legal opinion of eminent counsel, by which you mean, with all the weight which your authority carries, to say to the world that you believe this legislation to be invalid. Of course, to the extent that your opinion so expressed carries weight, you mean to discredit, and do discredit, the bonds of the Blue Ridge Railroad Company. Now, it makes no difference that the legal point you make is, practically, of very small importance—that if you had not a legal opinion, but a legal decision of the Supreme Court, it would not affect the value of the bonds, would not remove the guarantee of the State, would not prevent their negotiation, and would not in the slightest degree relieve the State or lessen the burden of the oppressed tax-payer, in whose interest we are told this action is taken. While this is true, still the expression of your opinion taints and discredits the bonds to this extent—mark what I say—to this extent: that they become more easily the prey of speculators—that is all. You do not and cannot prevent the sale of the bonds, but you enable the stock-jobber to speculate upon the necessities of the company, and buy that cheap which the State will have to redeem. Gentlemen, is this common sense? Do you wish that the Blue Ridge Railroad should be abandoned? If so, there is a wiser and better and surer mode of proceeding. If you, representing, as you so completely do, the property, the character, the intelligence, and the patriotism of the State, wish the road abandoned, who wishes to build it? It is the State's enterprise—for years the pet project of the State. No words of mine can describe its value; no zeal of mine can vindicate its importance with one-tenth of the fervor displayed, year after year, session after session, by the gentlemen who sit around me. If, then, you wish it abandoned, say so; make provision for the payment of its small but honest indebtedness, and, my word for it, the four million of bonds will be surrendered to the State, not one missing, not one sold, not one stolen. But if you do not mean this, do not take action which, by simply crippling the enterprise and discrediting the bonds, puts them in danger, from which they are to-day exempt.

What, then, do I ask you to do, in common fairness and in view of the action which you have already taken? Simply this: You are about to adjourn. You have by this

resolution expressed your doubt as to the validity of this legislation. Do not leave that doubt unsolved to prejudice our rights. Settle it now at once; do not adjourn and leave it uncertain and indefinite. You have selected certain counsel, none better. I do not know that they will assume the responsibility thus thrust upon them. Let us know it. For recollect, if that opinion confirms ours, if this and this only is the objection you have to the legislation in question, then if the decision of the arbiters you have yourselves selected is in our favor, your resolution becomes approval, instead of censure. Your opinion is strength to our bonds, and not weakness. The bonds of the company are now, to a limited extent, held as collateral for a small loan, required by the necessities of its work, and negotiations are pending for the sale of the bonds. If you are right, and the priority of the State lien is to be restored, let us know in time, for it will be no embarrassment, if once distinctly understood, to the negotiation. If we are right, learn it yourselves, and withdraw all unnecessary interference with the business of the company. This is but common justice, and to this demand I will not anticipate a solitary objection.

And here, Mr. President, I might stop. But, whatever may be the impressions or prejudices or convictions of those who surround me, I have no apprehension that I will be denied a fair hearing by a body of South Carolina gentlemen. The publication of your report and resolution will give a color to this legislation which I think unjust to the president and disadvantageous to the interest of the company. I propose, very plainly and briefly, to tell what I know of its history. I do it with reluctance, and with reluctance only, because I am the solicitor of the road, and because, whatever may be the personal kindness toward me of the members of this convention—and looking around upon the familiar faces of so many whom I will venture to call my friends, I feel assured of that kindly feeling—yet I cannot but feel that what I may say will naturally be supposed to be colored by the pride of professional opinion and the interest which I have in the success of the corporation which I serve. But, while I am responsible only for my legal advice to the body, I have been thoroughly familiar with the difficulties that beset its administration, and more than that, I am the personal friend of its president. I know his troubles, his labors—above all, I know his character; and while I would have preferred that he should be vindicated by some one of those whom I see around me, the friends of his boyhood, his colleagues in the house and senate, his associates for years upon the board of direction, the men under whose advice and by whose assistance he applied, in 1868, to the legislature for the guarantee of these bonds now under discussion, I feel it my duty to place before you, what he has not the privilege of doing, a plain history of this legislation, the cause which rendered it necessary, and what I believe to be the true character and consequences of its provisions. I shall confine myself to what I know.

I regret that I shall be obliged to refer to the Greenville Road, but I do not propose to denounce its present owners. They are responsible men, let them bear the burden of their offense, or clear them of the charge of offense. The Blue Ridge Road found the Greenville Road a neighbor, with whom its relations must be friendly or hostile, and I can say, with truth, they were not friendly. The Greenville Road, in pursuit of its own policy, and in conformity with its own system of morals, desired and determined to appropriate the four millions of bonds belonging to the Blue Ridge Road. For that purpose its friends prepared a bill, setting forth that the Blue Ridge Road could not be built, for a western connection from Greenville or Spartanburgh was better, and authorized the Greenville Road to take up the indebtedness of the Blue Ridge, and then appropriate its four million bonds to the repair of its own road and the completion of the amended connection. Upon learning this intention, General Harrison had a conference with its projectors, and, refusing altogether on any terms to abandon the Blue Ridge, offered such opposition as upon rejection induced its friends to give up the project. Scarcely had he left Columbia than he was recalled by the intelligence that a new scheme of attack upon his bonds was contemplated. The new plan was this: A bill was introduced into the senate canceling the State indorsements upon the Blue Ridge bonds, while another bill was introduced into the house by which, upon the ground that the State was thus relieved of four millions of liability, a new guarantee was given of four millions to the Greenville Road. These new guaranteed bonds were authorized to be converted, under the conversion act, into State bonds. I will not characterize this legislation. It needs no adjectives. When General Harrison reached Columbia, the house bill had passed three readings, and the senate bill two. His duty, both to the road of which he was in charge and the State, forbade him to allow such acts to become law, without any effort at defense. Why, if the bill canceling the indorsement of the State had passed, if, as it proposed, the existing indebtedness of the road was paid, what would it have cost the State, not in remote liability, but in actual cash? A just mortgage debt, with accrued interest of something over two hundred thousand dollars, advances secured by the bonds as collateral to between two and three hundred thousand more, the damages claimed by the contractor upon a contract of one million and a half, broken and abandoned, and, if he had been base

enough, anything more which he might choose to add as the recompense for his consent.

He resisted the bill; he defeated the bill; and when the bill in the senate failed, the bill from the house was abandoned, because, without canceling the old indorsement of four millions, the new indorsement of two could not be obtained. Well, at this point the Greenville Road proposed that the war should cease, and that the interests of the two roads should be consolidated. Look at the proposal! The Blue Ridge Road had but fifty miles of completed road; when they went upon the market with their securities, they met two difficulties: 1. That their unfinished road was not adequate security; 2. That the loan was not large enough to complete the road. The consolidation made a road four hundred miles, of which one hundred and eighty were complete, and making a gross income of eight hundred thousand dollars, while the completion of the whole line opened an enormous and lucrative traffic. The bonds of the Blue Ridge, indorsed by the consolidated company, would be securities sure of easy negotiation. General Harrison and his board consented to this consolidation, upon two conditions: 1. That the Blue Ridge Road should be adequately represented upon the consolidated road; and, 2. That sufficient guarantee should be given that the four millions of Blue Ridge bonds should be expended upon the Blue Ridge Road. But the general consolidation act required the election of the new board, a president, equalization of stock, &c., which could not be effected before the adjournment of the legislature. It was agreed therefore, to accept the present act as a preliminary to the actual consolidation, General Harrison stipulating that, as an effort had been made to discredit the Blue Ridge bonds by the attempt to cancel them, that indorsement should be confirmed.

I say to-day, and I am willing to leave it to the judgment of any impartial man, that this proposed consolidation was wise, and in the best interest, both of the railroads and the State.

But the ground taken by the report and resolutions is that in one particular this bill is injurious to the State, inasmuch as it postpones the statutory lien of the State to the mortgage which protects private individuals. My reply to that is:

1. That no statutory lien existed when the mortgage was executed, and that therefore in point of fact, and as an inevitable legal consequence, the mortgage is prior to the statutory lien. When, by the act of 1868, the indorsement of the State was authorized upon four millions of bonds, no mortgage was asked. Its security was purely voluntary. The statutory lien of the State became binding when, according to the provisions of the act, the comptroller general put his indorsement upon the bonds. Under the most eminent legal advice in the State the mortgage was prepared and recorded according to law, but by delays unforeseen and beyond the control of the company, the bonds were not signed for months after the execution and record of the mortgage. The priority of the mortgage is, therefore, a fact independent of this legislation. But besides this, there was a first mortgage, not a large one, but, as I have said, with accrued interest amounting to about \$260,000, which was prior to both the mortgage of 1868 and the statutory lien. To complain of the legislation because it postpones the State lien is simply to reject the facts.

2. The mortgage was a better security than the statutory liens. It was cumulative and voluntary. The statutory lien, as every lawyer will admit, could not extend beyond the limits of the State, covering only fifty-six miles of road, of which only thirty-two were finished. The mortgage covered all the property of the whole road from one end to the other. And it must be recollected that so long as the mortgage protected the bond-holders, there was no accruing liability to the State. She wanted no other security as long as the bond-holders did not fall back upon her indorsement.

3. Whether the release of the prior lien of the State was right or wrong, wise or foolish, the legislature had the right to make it; and once made, it is complete. This position I am willing to leave to any competent legal authority.

I have thus attempted to show that so far from the State being injured by this legislation, she is benefited; that the postponement of the State lien complained of is not the result of this legislation, but existed as a matter of law and fact before it; and that even if it is unwise it is irrevocable.

I have endeavored to discuss this question clearly, temperately, and simply in its business aspect. I have no objection to the consultation of the eminent counsel selected. I think it but justice that this question be settled at once, and submitting the amendment which I have moved, I leave the whole subject to the consideration of the convention.

Mr. Warley rose, and in reply to Mr. Trescott, spoke as follows:

SPEECH OF MR. F. F. WARLEY.

MR. PRESIDENT: I desire at the commencement of my reply to the remarks of the gentleman from Anderson, (Mr. Trescott,) to repeat what I said on yesterday. I am not the prejudiced adversary of any corporation in the State; neither am I the blind partisan or paid attorney of any.

What has fallen from the gentleman proves that he either does not comprehend the issues involved in the report of your committee, or, that, for reasons of his own, he does not desire to discuss them. I have too much respect for his intelligence and acumen to presume the former; but I will not intrude so much upon his own affairs as to suggest reasons why he has gone after false issues in this discussion.

The gentleman has, with more warmth than prudence or good manners, read this convention a lecture upon their self-assuming right to meddle with the interests of private individuals. He forgets that public corporations are but the combination of individual rights and interests. Besides, when private individuals mix themselves up with the frauds of public corporations, they may reasonably expect exposure and public condemnation. But, says the gentleman, "you can't interfere with these stupendous frauds; you can't assume to condemn these outrageous thefts of public money, because, forsooth, by doing so you interfere with individual rights and endanger the success of private schemes." There is more of the lawyer than of the statesman in this argument.

As I said on yesterday, public frauds would not exist were it not for private individuals who act the part of corruptors. Were none of these engaged in bribing members of the legislature, we would hear nothing of such frauds as the one I have endeavored to expose. It comes with ill grace from any citizen who values his good name, to excuse, palliate, or apologize for such acts. But, sir, the gentleman displays bad taste and worse judgment when he invokes the shade of the immortal Hayne to screen the Blue Ridge Railroad Company from public condemnation, as a just consequence of its corruptions and fraud.

Sir, let us in imagination enter the council chamber of the nation on that memorable day when the Demosthenes of Carolina was battling against oppressive taxation, and listen to his words. He is speaking of what our ancestors would behold if, in spirit, they were allowed to visit the land they had loved so dearly. He says: "Where all was prosperous, flourishing and happy, they would behold nothing but decay, gloom and desolation; not even

'——— a rose of wilderness

Left on the stalk; to tell where the garden had been."

Beholding these sad reverses in the condition of their descendants, they would naturally inquire what moral or political evil had passed over the land, to blast and wither the fair inheritance they had left them. And, sir, when they should be told that a system of taxation, infinitely more unjust and oppressive than that from which we had been freed by their toils and sufferings, had been assumed and was exercised over us by our own brethren, they would indignantly exclaim, like the ghost of the murdered Hamlet when urging his afflicted son to avenge the tarnished honor of his house: "If you have nature in you, bear it not!" Change the picture. Suppose the spirit of the gifted Hayne could enter this assemblage, and looking into the faces of many here whom he knew in the flesh, should inquire the cause of our impoverished condition; why it was that commerce and trade and industry, in all their branches, were so lifeless and inert; and above all, why this assemblage of Carolina's sons in council? And should be told that it was in great part owing to systematic fraud and corruptions openly and definitely carried on by imported adventurers and domestic renegades. What think you, sir, would be his injunction? I hear it as it falls in measured tones from angel lips, "If you have nature in you, bear it not!" Don't invoke his presence here—the presence of one so noble, so generous, so high-minded, and so good, to sustain and cloak a fraud like this. I protest against it, in the names of justice and of history.

But the gentleman complains because the school-mates, the past friend and associates of the president of the Blue Ridge Railroad Company, have not seen fit to defend him when assailed here, but have, by remaining silent, devolved that duty upon him. Have I assailed the character of the gentleman's friend? I have only repeated his own bold avowals of his corruption, as made before your committee. I have only declared his own avowals of his shameless use of money, for the purposes of bribery. If he has been assailed, he himself has been the assailant. How, then, could his friends have been expected to shield him from his own attacks; to rescue his name from the cesspool of corruption and vice into which he had thrown it?

I have said, sir, that the gentleman from Anderson has not comprehended the issues raised by the report; he seems, also, not to have understood the intention or spirit of the resolutions. He seems to imagine, that the question we have submitted for examination to gentlemen "of high legal attainments and well-known patriotism," is simply, "Has the legislature the right to subordinate the lien of the State to other liens, under any circumstances?" If he honestly believes this, I say to him, in all candor, that he is woefully mistaken. What we propose goes very much farther than this; though the question he suggests may not be so free from difficulties as he seems to suppose. He knows, as well as other legal gentlemen on this floor, that where an advantage is gained over a trustee, acting within the scope of his trusts, the courts will protect the

cestui que trust. And, sir, we presume that our courts will not countenance a fraud, perpetrated upon the tax-payers of the State, by deception and false representations, practiced upon and made to their trustee, the legislature, by these corporations. The resolutions contemplate no written opinion, to be addressed to the people; but rather, a written complaint, to be addressed to the courts.

The gentleman is mistaken, if he supposes that he can excite sympathy here by saying that our action will make the bonds of the company he represents unsalable. Let me tell him, that such is precisely our object. There is prevalent a very general and very reasonable impression, that men who have proved themselves capable of inducing such legislation by such means are not safe custodians of millions of the public money. And, sir, if there is any virtue left in law, we don't intend that they shall be our agents; we hope yet to defeat their schemes, to wrest from them their plunder, and extort from them, robbers as they are, the cry "Have pity upon us."

But we are told that our action is only calculated to help the brokers and stock-jobbers of New York; by which, probably, we are to understand that these bonds will be sold anyhow, and our depreciation of them will thereby ultimately help these classes of persons. Be it so, sir. Better far to help them than to enrich those of our own people who would plunder us, and grow fat upon our poverty. The gentleman professes to favor us with a history of this swindle. In so doing he, unfortunately, and I expect unintentionally, speaks of these corporations, who got the legislature to publish the bans of their marriage, as lifetime foes. Now, sir, can the gentleman tell us when they made friends? Don't he know that they were enemies when the legislature was gulled by this pretended, but never intended, consolidation, and that they are enemies still? Have they ever been reconciled? He knows that they have not. There could be, of necessity, no union or consolidation of the roads, until friendly relations were established. But they were enemies then; and they are enemies now. Union was never intended; they deliberately and intentionally deceived the legislature, and whatever of grace there is for them in the act was obtained by deception and fraud.

Why has not the gentleman, in his epitome of this interesting piece of legislative larceny, told us how it happens, that while the *benefits* of the act are bestowed "in view" of the contemplated consolidation, the *penalties* of the law do not attach until after the consolidation takes place? Or, as there is to be no consolidation, unless the action of this convention compels it, how it happens that a law which grants such rich favors has no penalty attached to it at all?

Mr. President, when the gentleman affirms that an advantage was obtained over the State by the non-indorsement of the bonds within reasonable time, and adds, "that this was the result of reasons which he need not state," he uses language which demands explanation.

[Mr. Trescott here explained that in the signing of the bonds he referred merely to their mechanical execution; that the non-indorsement of the bonds could in no wise affect the mortgage of the State.]

Mr. Warley continued:

This strange neglect, followed by such consequences as the gentleman claims resulted from it, needs explanation. Unexplained, it has much the character of collusion between the State officers who deal largely in railroad stocks, and officers of the road, to defraud the State.

The gentleman dwells on the fact that the lien of the State, under the statutory mortgage, only attaches to the portion of the Blue Ridge Railroad within the State—fifty-six miles. He entirely ignores the feature of the act so far as the company he represents is concerned—the withdrawal of the right of the State to dictate the rate at which the four millions of bonds should be sold. Why has he done this? Does he not know that this was the promised boon which secured the coöperation of the Blue Ridge Railroad Company in this huge swindle and unmitigated fraud? And yet, he would divert our minds, and kindly insists upon our noticing how small a portion of the road is within the State. But if that were all the State relinquished, and that relinquishment was procured by falsehood and by fraud, the offense would be complete, and the company would have richly earned the scorn of every honest man. Stealing is the felonious appropriation of another's property to one's use. It matters not whether it be a pin or sovereign. This act of perfidy is not now rendered more perfidious because it involves the stealing of millions of dollars. If it involved the taking of but one dollar by similar means, it would be equally as perfidious:

Mr. President, one prominent feature in this transaction is the part which native Carolinians have played in it; and it is to this feature that I ask to be allowed to address myself in closing. I say, sir, and I say it in sorrow, that some of our own household, men whom the State in the past has delighted to honor, but whose honors have been withered by the atmosphere of corruption that they breathe, are involved in this swindle. I can't conceive how these men, thoroughly acquainted as they are with the negro character, and with the circumstances which, up to a recent date, surrounded the negroes then in slavery—knowing, as they well know, that in mature manhood the

negro is mentally a child, and that, morally, he never passes the stature of infancy, could reconcile it to themselves to approach them when, by force of law, they were suddenly raised to political power, and, by appealing to their cupidity and avarice, make them their instruments to effect the robbery of their impoverished white brethren. The highwayman spares the idiot; the pirate has mercy on the fool; but these, our own people, use idiot and fool alike to consummate their schemes of spoliation and plunder. A legislature, composed chiefly of our former slaves, has been bribed by these men—to do what? To give them the privilege, by law, of plundering the property-holders of the State, now almost bankrupt, by reason of the burden of taxation under which they labor.

Now, gentlemen of this convention, one word as to the amendment proposed by the gentleman from Anderson. All that that amendment aims to secure is a report which, it is hoped, will assist them in selling the bonds which we hereafter will have to pay. We do not propose to render them any such assistance. On the contrary—and we say it to the world—we intend to strangle this fraud in its infancy. I trust the amendment will be voted down with that remarkable unanimity which has characterized the vote by which the report and resolutions were adopted.

Mr. Giles then moved to lay the amendment on the table.

The motion was adopted, and the amendment laid on the table.

Mr. E. J. Scott, of Richland, offered the following resolution:

Whereas it is customary and proper that persons intrusted with large amounts of the public funds should guarantee the safe-keeping and faithful disbursement of the same; and whereas H. H. Kimpton, esq., the State financial agent in New York, who holds about two millions of State bonds, has given nothing but his own personal obligation for the discharge of his duties:

Resolved, That the attention of the governor and the attorney general be specially directed to the risk of loss by the death or default of said agent, and that they be requested to require of him a bond with such good and sufficient security as will protect the interest of the State committed to his hands.

The resolution, on motion of Mr. T. Y. Simons, of Charleston, was considered immediately, and agreed to.

Mr. Cadwallader Jones, of York, introduced the following resolution:

Whereas by the act of the 26th of August, entitled "An act to authorize a State loan to pay interest on the public debt," the governor was authorized to borrow, on the credit of the State, on coupon bonds, a sum not exceeding one million of dollars, or so much thereof as may be necessary to pay the interest on the public debt: And whereas it appears that instead of one million, two millions of dollars of coupon bonds were created, the one with the words "for interest" engraved thereon, and the other without those words: And whereas, although it is now stated that \$900,000 of the two millions thus issued have been recalled: Therefore,

Resolved, That this convention cannot but deem this transaction as uncalled for, and without legal authority, and as exhibiting an irregularity and capacity for fraud which merits its stern condemnation.

On motion of Mr. Jones the resolution was referred to the committee of eleven.

Mr. Chesnut, from the executive committee, to whom were referred the preamble and resolutions relative to investigation in the third congressional district, made the following report:

The executive committee, to whom were referred a preamble and resolutions in regard to a larger amount having been drawn from the treasury by the committee of the senate and house of representatives, for the purpose of investigating irregularities in the third congressional district, than has been properly accounted for, ask leave to report:

That they have considered the same, and recommend that the same be referred to the attorney general, with the recommendation that the subject is well worthy of judicial examination, and, in the opinion of the committee, is entitled to the attention of the prosecuting officer of the State.

The report was considered immediately, and agreed to.

Mr. T. Y. Simons, from the special committee appointed to confer with the governor relative to the postponement of the collection of the November tax, made the following report:

The special committee directed by the convention to confer with the governor of the State in relation to the postponement of the collection of the taxes in November ensuing, beg leave to report:

That impressed with the conviction, under the peculiar circumstances of the case, and in view of the fact that the people of the State are thus called upon to pay the taxes for two separate years in one, of the justice of the measure of relief proposed, they have had an interview with the governor, who has authorized them to state to the convention that, while the various offices will be open in November for the reception of the taxes at that time, from such of the citizens as may be then prepared to pay them,

yet that the period for their payment will be extended to the 1st of March, 1872, within which time if payment is made no penalty will attach.

T. Y. SIMONS, *Chairman.*

The report was considered immediately, and adopted.

Mr. Butler, from the committee of eleven, stated that his committee, with the exception of one branch, was ready to report.

On motion of Mr. Ball the convention took a recess of thirty minutes.

Upon reassembling, Mr. Butler, from the committee of eleven to confer with the governor, reported as follows:

The committee to whom was referred the resolutions of the convention, "That a committee of eleven be appointed by the chair to confer with his excellency Governor Scott, in pursuance of the fourth resolution of the Chamber of Commerce and Board of Trade of the city of Charleston, and report to this convention in writing or otherwise," beg leave to report:

That they have had an extended conference with the governor, pursuant to the resolution of instruction, eliciting the following results:

1. It was stated to the executive by your committee, that they visited him, not as partisans of any political party, but simply as representatives of the tax-payers of the State, to ascertain in what manner they could coöperate with him in correcting many of the prevailing evils now causing popular discontent, and to obtain from him an official statement of such facts and suggestions as would promote confidence, and secure retrenchment and economy in the administration of the State government.

The governor, in reply, expressed his gratification that he was afforded an opportunity to lay before the representatives of the tax-payers of the State the facts in his possession, and such information as would meet the views of the committee.

He observed first, with reference to the finances of the State, that, notwithstanding the rumors that an illegal and irregular manipulation of the public funds had taken place, it was the fact that nothing had been done involving the credit of the State which was not strictly authorized by law. And to satisfy the committee, they were invited by the treasurer, comptroller general, and State agent, to make a thorough examination of their respective official accounts. It is very gratifying to your committee to state that these officials were present at the interview, and have given free access to their offices and books, upon which a special report will be made by a sub-committee of this convention.

The governor produced the printed statement of the funded debt of South Carolina, which has been furnished to the members of the convention by the comptroller general, and remarked that he believed it to be substantially true, and that he had not signed any other bonds than those set forth in said statement, and that none had been issued except by authority of law.

2. With reference to the unnecessary multiplication and increase of State and county offices, he remarked that he was satisfied a large number of officials could be profitably dispensed with, and that if the convention would take positive action upon the subject, it would probably have weight with the legislature, and induce economical restrictions, and expressed the determination to exert his influence with the general assembly to effect that object; all of which is more specifically set forth in the report of a sub-committee especially charged with this branch of their instructions.

3. Upon the suggestion of your committee, that one of the principal causes of popular complaint and dissatisfaction consisted in the fact that many of the trial justices and other officers and agencies of the law were incompetent, and so unequally distributed as to prevent convenient and ready access, his excellency replied that he fully appreciated the force of the remark, and knew that this was one of the most fruitful causes of the difficulties which have existed during the last six or eight months—that, until recently, he had had trouble in finding a proper class of men for trial justices and other officers, and that he was satisfied that much of the personal violence and indifference to law was due to the fact that the people have not the means of enforcing the law within their reach.

4. In reply to an inquiry from your committee as to his opinion of minority representation, the governor was clear and explicit in his indorsement of the plan, believing, as he said, that it would do more to destroy prejudice, prevent ill-feeling, and educate the majority than any event which could occur—that they would be the gainers should the legislature at its next session pass an act providing for minority representation.

5. In regard to the election laws, the governor was very decided in the opinion that they should be amended, alleging as the reason that, as they now stand, distrust was created in the minds of the people, and temptation offered for the commission of fraud. He added that at the next session of the legislature he would urge a change, so that the ballots could be counted in public as soon as the polls were closed.

6. Your committee urged the inability of the people, after paying the taxes now being collected, to pay a second tax in November next. His excellency said in reply, that it had been represented to him by well-informed citizens in several parts of the

State, that for a large class of citizens whose taxes were small in amount, the month of November was a more convenient time of payment than any other; and he hoped that to this class of our citizens the collection of the tax at that time would not prove oppressive. But, yielding to the representation of your committee, he requested them to report to the convention that he would authorize the comptroller to suspend the collection of the taxes in all cases where the payment thereof was inconvenient to the tax-payers. That this postponement shall extend to the 1st of March, 1872, and that the penalty for non-payment should not be enforced in the mean time.

In brief, to recapitulate, your committee understand his excellency as having committed himself to the following propositions:

1. That he has signed no other bonds than those set forth in the debt statement made by the comptroller general, and that there have been no fraudulent or illegal issues.
2. That the State and county offices, both elective and appointed, are unnecessarily multiplied, and should be reduced in number, and many of them in pay.
3. That many of the officials charged with the administration of justice have been incompetent and inaccessible to the people, and that many of the disorders complained of in the State have been created by this cause, and that he will replace them with competent persons whenever he can do so.
4. That he is in favor of the cumulative system of voting and minority representation, and would be glad to see it made a part of the law of this State.
5. That the election laws are defective, lead to fraud, and should be materially amended, and that he will exert his influence to that end.
6. That he would have the collection of the taxes of next November postponed until the 1st of March, 1872, and not enforce the penalty for non-payment until that time.

Your committee are aware of the wide-spread feeling of distrust of the present administration, and while they share to a great extent this common feeling, they think it would be wise and proper that a cheerful response be made to this effort of his excellency to secure retrenchment and reform in the administration of public affairs.

There has been nothing in the different interviews between your committee and the governor which leads them to believe that he desires or intends to repudiate his assurances of an earnest desire to correct many of the evils and grievances of which we complain.

That frauds the most flagrant, and corruption the most dangerous and demoralizing, have been perpetrated by many of the State officials your committee have no doubt; but an investigation has scarcely been embraced within the scope of their instructions, even if they had had the power, under the sanction of the law, and the time to have done so.

In this connection, however, your committee recommend the adoption of the following resolution:

Resolved, That his excellency the governor be requested to direct the attorney general to inquire into all cases of alleged frauds upon the treasury that may be brought to his notice; and to make suitable provision for the remuneration of informers, and to the compensation of additional counsel, which may be necessary. That the attorney general be instructed, if found necessary or expedient, to attach the property of persons ascertained to be in default to the treasury, or in any other way to be unlawfully in possession of moneys of the State.

A committee on the part of the legislature is now in session in this city, charged with the investigation of the transactions of some of the State officials. Your committee recommend the appointment of a committee of three, by the president of this convention, whose duty it shall be, as representatives of a large body of the tax-payers of the State, to tender their services and coöperation to the legislative committee, in aid of the investigation now going on.

Your committee not having the authority of law to press their inquiry into the numerous alleged frauds and corruptions to a satisfactory conclusion, and recognizing the occasion as one of too much gravity to be hastily and inadvisedly passed upon, have declined to be influenced in this regard by the unsworn statements of individuals. The foregoing recommendations, however, if carried out, will test the sincerity of those who have the authority for investigation, and lead to a purification of the body politic.

The adoption of the following suggestions is respectfully recommended for the consideration of the legislature at its next session, with a view to the enactment and modification of certain laws:

1. Increase the revenues of the State by additional legislation, insuring the full and faithful payment of the royalty on phosphatic deposits dug and mined, pursuant to the terms of the charters of the respective companies. This may be effected by the appointment of reliable bonded inspectors or weighers, who should be required to determine by weight or measurement the number of tons mined before sale or shipment, and who shall receive for compensation a reasonable commission on amounts secured to the State through his office.

Your committee are advised that a large proportion of the public expenses might be

met from this source, if properly collected, whereas but \$1,900 have so far been paid into the State treasury.

2. Repeal or prevent in future acts vesting valuable franchises the right to dig and mine phosphates, &c., &c., in companies, all or a great part of whose corporators are members of the legislature at the time of the grant.

3. Stop the drawing of money from the treasury for alleged current legislative expenses on the order of the speaker of the house or president of the senate, in advance of any appropriation, which practice is in direct violation of section 22, article 2, of the constitution, which provides: "That no money shall be drawn from the treasury but in pursuance of an appropriation made by law."

4. All appropriation bills should specify items under each general head. For instance, the practice is to cover, under head of "Legislative expenses," the payments to alleged employes, clerks, messengers, &c., of the general assembly, who, as your committee are informed, outnumber the members thereof.

5. Reduce the number of State and county officers, by blending the duties of two or more offices in one, and reduce the fees of coroners, which are excessive.

6. Enact a law limiting each session of the legislature to thirty days.

7. A law should be enacted, or the present law modified, prohibiting county commissioners from issuing any check until the account upon which it is alleged to be based is first audited and approved by the county treasurer or some other independent officer, and requiring the commissioners to publish quarterly a statement, in the nearest newspaper, of all amounts collected and paid by them, from whom collected, to whom paid, and on what account.

8. Let the old law regulating the fees of solicitors be substituted for the present.

9. Repeal the act granting a salary of \$2,500 per annum to the adjutant general. The office is a mere sinecure. Its practical duties can be performed by a clerk, to be appointed by the governor, acting as assistant adjutant general.

10. Limit each public officer to one salary or compensation for the same service. (*Vide* lieutenant governor's pay.)

11. Abolish commission to codify the laws. It costs the State \$15,000, and does no duty which cannot be discharged by a clerk.

The duties of your committee, Mr. President, have been delicate and arduous, and the time within which they were expected to discharge them too limited to permit such a thorough investigation of the matters committed to them as they justly deserve. They have had to rely on statements voluntarily furnished by the officials themselves, and the evils sought to be corrected may not find immediate redress. They trust, however, that such information as they have been able to procure may lead to other and further investigation by the committee above recommended, and that the suggestions and remedies which they have had the honor to make may result in good to the whole people of the State.

All of which is respectfully submitted.

M. C. BUTLER,
Chairman of the Committee.

The report was considered immediately, and agreed to.

Mr. Trenholm, from the committee of eleven, to whom was referred resolutions regarding the finances of the State, made the following report:

The committee of eleven, to whom were referred the resolutions regarding the finances of the State, report as follows:

This resolution having been published in the newspapers before the assembling of the convention, your committee were promptly apprised by his excellency the governor, and by the other State functionaries referred to, of their readiness to furnish the required information. The comptroller general furnished to the convention themselves a printed "statement of the funded debt of the State of South Carolina, and information relative thereto." In this "statement the total funded debt of the State" is set down as the sum of \$7,665,908 98. To the sum of the funded debt, viz: \$7,665,908 98, must be added, in order to exhibit the sum total of the debt of the State, the cash advanced to the treasury by the financial agent. This is set down by Mr. Kimpton at the round sum of \$800,000, and also the further sum of \$400,000, for bonds sold by Mr. Kimpton since the date of the comptroller's report, viz: making a grand total of debt of \$8,865,908 98.

The sum total of bonds remaining unsold in the hands of the agent, as already shown by the comptroller's statement, was \$2,200,000. From this amount must be now deducted the amount sold as above stated, \$400,000, leaving \$1,800,000. This amount of bonds, namely, \$1,800,000, is pledged for the security of the \$800,000 of cash advanced by the agent.

In view of this condition of the finances of the State, your committee would respectfully make the following recommendations, viz: 1. That his excellency the governor be respectfully requested to confer with the financial agent, (who is now in Co-

lumbia,) and to telegraph to New York not to sell any more bonds of the State at less than 80 per cent.

2. That his excellency be respectfully requested to proceed to New York and to make the most economical arrangement possible for holding this \$1,500,000 of bonds until the above limit of 80 per cent. becomes attainable.

3. At 80 per cent. \$1,000,000 of bonds will discharge the debt of \$800,000 due to the financial agent, and release \$800,000 of the hypothecated bonds. This sum of bonds, your committee recommend that it may be respectfully suggested to the governor to use in the following manner:

The amount of funded debt now payable, and that approaching maturity, combined, is as follows:

Fire loan bonds, Baring loan.....	\$440,000
Fire loan stock.....	304,000
Amount overdue.....	744,000
State-house bonds to mature on the 18th of July, 1871.....	250,000
	<u>994,000</u>

Your committee recommend that the \$1,800,000 of surplus bonds above referred to, as soon as they may be relieved from hypothecation, be applied to the satisfaction in part of the above debt of \$994,000. The \$744,000 of overdue bonds constitute so much of the fire loan debt for which the capital of the bank of the State is pledged, and your committee indulge in the hope that it may be discharged from that source.

If the arrangements suggested by the committee can be carried into effect, the result will be as follows:

Sum total of debt already stated.....	\$8,865,908 98
Add the bonds now in the hands of the agent, and proposed to be issued.....	1,800,000 00
	<u>10,665,908 98</u>
Deduct the advances made by the agent and proposed to be paid.....	800,000 00
	<u>9,865,908 98</u>
Deduct the amount of funded debt proposed to be paid by \$800,000 of surplus bonds on the basis of 80 per cent. for the bonds, viz.....	640,000 00
	<u>9,225,908 98</u>
Should the remainder of the \$994,000 of funded debt, now pressing for payment, be discharged out of the assets of the bank of the State, viz.....	354,000 00
	<u>8,871,908 98</u>

It may be reasonably objected to these suggestions that the present market price of the bonds is only 65 per cent., while the calculations made proceed on the basis of 80 per cent. for the bonds. But it is quite reasonable to expect that upon this exhibition of the exact condition of the debt of the State, and upon the concurrence of his excellency the governor in the general course of arrangement herein recommended, there will be an immediate and considerable advance in the market value of the bonds, and greatly increased facilities for holding them off the market.

Referring now once more to the sum of the funded debt, the committee deem it proper to state that they had expected to verify the account by the evidences in the comptroller's office, but they were disappointed.

The act of August 26, 1868, authorizing an issue of bonds for the payment of the bills receivable of the State, provided that the bonds should be signed by the governor and treasurer. Subsequent acts followed the same course. In consequence, there is no record kept in the comptroller's office. The preceding statement, under the authority of this officer, is derived from the treasurer. It is confirmed by the governor, who united with the treasurer, Mr. Parker, in giving to the committee every assurance of its correctness. And it appears to your committee that the several issues and sums of bonds described are of unquestionable legality and force as obligations of the State. It seems proper further to explain that the bonds, under act of August 26, 1868, "for the payment of the interest on the public debt," were at first issued with the above words embodied in the form of the bonds. That these words being deemed objectionable, another set of bonds for a like amount (\$1,000,000) was prepared and executed, and were sent to the financial agent to supply the place of the objectionable issue. Of this objectionable issue of bonds, \$500,000 were long since returned and canceled, as appears by the assurances given to your committee by the comptroller and treasurer. Upon

the authority of Mr. Kimpton, agent, and Mr. Parker, treasurer, it appears, also, that a further sum of \$400,000 has been returned within a few days. These have not yet been canceled. Mr. Kimpton also assured the committee that the remaining \$100,000 would soon be returned; that there was not any longer delay in effecting the exchange than arose from the necessity of waiting until the several loans matured for which the first bonds had been pledged.

The arrangement of having a financial agent in New York does not make a favorable impression upon the committee. Copies of the accounts rendered by him for the fiscal years of 1869 and 1870 are annexed to this report for reference, marked respectively "B" and "C."

The large sum in money or bonds always in the hands of the agent is attended with unusual risk in the management of the finances of a State; and the difficulty of keeping the accounts of the agency and of the treasury in constant and regular accord is great. It will be seen, for example, by account "B" that at the end of the year the total of the sums charged to the treasurer by Mr. Kimpton was \$1,007,924 54, while the sums credited to Mr. Kimpton by the treasurer amounted to only \$323,000; exhibiting a discrepancy of \$384,924 54, or disagreement of \$384,924 54. In like manner, account "C" exhibits a disagreement of \$294,726 92.

It is true these accounts were recently brought into reconciliation, or rather into conformity with the accounts of the agency. There is added to both an account of the subsequent interest by which this was effected. Nothing appears in these accounts to impeach their correctness, but it will be seen how wide open is the door for errors and disputes, if for no graver misfortunes. It will be seen that among the items brought to the credit of the account by the subsequent entries are these, viz:

Account "B," fiscal year 1869, for expenses, including interest as explained to the committee	\$64,996 71
Account "C," fiscal year 1870, for expenses, including interest.....	94,977 42
	<hr/> 159,974 13 <hr/>

These appear to have been passed to the credit of the agency without being audited. The committee understood Mr. Parker, the treasurer, to say that he had not received an account of the several items of expense that go to make up the two sums of \$64,996 71, and of \$94,977 42. These charges, as will hereafter be shown, add enormously to the interest of the public debt, nor is this the end. The committee learned from Mr. Kimpton that his own proper commission as agent was not included in the above sums, and that the rate of compensation is not even determined or agreed upon.

Your committee would have preferred to show with precision what rate of interest results from the addition of these charges, but it is seen that the full sum of the expenses is not yet known, neither do the accounts show the exact average sum of the cash advances made to the treasury. Some approximation to the truth may, however, be made in this way. By the report of the comptroller general for 1870, pp. 101 to 104, the following appear to have been the quarterly balances due to Mr. Kimpton by the treasury:

October 1, 1869.....	\$515,424 54
January 1, 1870	180,009 54
April 1, 1870	548,347 84
July 1, 1870	573,317 21
October 1, 1870.....	880,843 95
Total	<hr/> 2,697,943 08 <hr/>

This sum, divided by the five periods, gives an average of \$539,588 61 as the sum of the advances, and seven and a half months as the period of time for which they were made. The interest and other charges, as shown in another part of this report, were for twelve months \$94,777 42, or \$7,914 78 per month. For seven and a half months it is \$59,360 85, or at the rate of 17 per cent. per annum. And to this is yet to be added the agent's commissions. Mr. Kimpton is under the impression that his average advance was greater than the sum stated by your committee. But even if it was \$700,000 instead of \$539,588 61, the interest (without his commission) would amount still to the high rate of 13½ per cent. per annum.

The loss sustained by the State in this mode of dealing is obvious, and it is augmented apparently by the fact that all this risk, expense, and trouble resulted in the sale of only \$1,000,000 of bonds, and these at the moderate rate of 70 per cent. The act providing for the payment of the interest on the public debt in gold had been passed, and had added very largely to the annual charge.

The interest paid by the comptroller, according to the report of 1870, is..	\$190 879 44
The coupons paid by Mr. Kimpton amounted to.....	209 014 50
	<hr/>
	399,893 94
The premium on gold, paid by Mr. Kimpton, and charged in the same account, (C,) is	84,362 00
	<hr/>
	484,255 94
	<hr/>

Thus raising the interest on the funded debt that year to about $7\frac{1}{2}$ per cent., instead of 6 per cent., and adding \$84,362 to the expenses of the State. The face of the bonds, it is true, rose to 80 per cent. and upward: but the State derived no benefit from the expense she had incurred to produce the advance. Only one million was sold, and those at 70 per cent.

In reviewing the financial condition of the State, it was impossible to fail of being gravely impressed by the enormous expense of the present day as compared with the past. Your committee earnestly appealed to his excellency Governor Scott to use all his power to enforce retrenchment in every department. It was impossible for your committee, in the short time allotted to their arduous task, to examine into the various accounts that exhibit these expenditures, and to suggest in what particulars they may be curtailed.

They procured from the treasurer, in a compendium form, and attach to this report, accounts "D" and "E," showing the receipts and disbursements of the treasury for the years 1869 and 1870. They commend these interesting documents to the careful examination and earnest consideration of the tax-payers and of the legislature. They believe that all necessary retrenchment of expenses may be effected, and that it is the shortest and best avenue to escape from the financial difficulties we suffer, and the surest means of restoring quiet and confidence among the people of the State. Less than \$660,000 will pay the interest in gold on the funded debt, and \$1,200,000 of revenue should abundantly suffice to defray the interest and all other expenses.

The committee believe that by a vigorous and persistent economy our expenses may be reduced to this sum, and the taxes proportionately abated.

The examination of Mr. Kimpton's account in detail was found impossible, as his books of account are necessarily in New York. The importance of such an examination is, however, recognized, in the interest of the State, and for the satisfaction of the financial agent, by whom it is courteously and cordially invited. The same may be said of the several officers of the State to whom application for information was made by your committee.

Mr. Neagle, the comptroller general, was particularly pressing in his solicitations that all his books and accounts might be thoroughly and critically examined.

As the result of the deliberations of the committee on the matters referred and now reported on, they would respectfully recommend to the convention the adoption of the following:

Resolved, as the sense of this convention, That the funded debt of the State as described in the report of the committee of eleven of this body is a valid debt, and that the honor and funds of the State are lawfully pledged for the redemption thereof.

Resolved, That the general plan for the arrangement of the funded debt, suggested by the committee, be recommended to the favorable consideration of his excellency the governor.

Resolved, That to complete the examination of the accounts of the financial agent in New York, the committee of eleven be authorized to sit during the recess of the convention, and to send a sub-committee to New York for the purpose indicated, and that the said committee and sub-committee be further authorized, if required by Governor Scott, to assist by their counsels at home or in New York in the proposed negotiations for the final adjustment of the funded debt.

Resolved, That his excellency Governor Scott be, and he is hereby, earnestly solicited to make a systematic review of the various classes of expenditures for the public services, and to use his authority and influence in arresting the present extravagant expenditures, and in substituting a system of rigid economy and accountability in every department of the public service. That to this end his excellency be earnestly and respectfully urged to adopt the sum of \$1,200,000 as the utmost limit of expenditure, and exert all his power and influence to reduce the expenses, including the interest on the funded debt, to this sum, and to diminish the taxes in the same extent.

Resolved, That the comptroller and the treasurer be required by his excellency the governor not to destroy the \$400,000 of objectionable bonds referred to in the report, but to cancel and file them so that the fact of the cancellation thereof may at any time be demonstrated, and that the same course be pursued in reference to all redeemed obligations of the State, of any character whatsoever.

The report was considered immediately, and adopted.

Mr. Ball, from the committee of eleven, to whom was referred a resolution regarding the increase of offices since 1868, made the following report:

The committee to whom it was referred to investigate and report to this body to what extent State and county offices have been unnecessarily increased since the inauguration of the State government in 1868, and with the view to retrenchment and reform, to what extent they might be dispensed with, beg leave to report:

That they have examined and considered the matters embraced in the resolution as fully as the limited time at their disposal would admit.

They are satisfied from this examination that the number of offices of the State and county have been unnecessarily increased, and that the salaries appertaining to the same have been fixed at amounts largely in excess of a fair compensation for the services rendered; and that as to those offices absolutely necessary to a due administration of the government, the salaries have in a like manner been inordinately increased. In support of this view your committee beg leave to submit the following comparative statement of offices and salaries for the years 1866 and 1871:

Comparative statement of offices and salaries in the years 1866 and 1871.

	1866.	1871.
Governor	\$3, 500	\$3, 500
Private secretary	1, 200	2, 000
Messenger	100	300
Rent	300	.....
Secretary of state, clerk and fees	500	4, 000
Adjutant and inspector general .....	.....	2, 500
Comptroller and clerks	3, 700	4, 499
Treasurer and clerks	3, 200	5, 800
Auditor of State and clerk .....	.....	4, 000
Superintendent education and clerk .....	.....	3, 500
Chief justice	3, 500	4, 000
Associate justices .....	.....	7, 000
Judges	30, 000	28, 000
Attorney general and clerk	1, 100	4, 000
Clerk of court of appeals	800	1, 500
Attendant court of appeals	250	800
Solicitors	4, 500	8, 000
County auditors .....	.....	31, 500
School commissioners .....	.....	31, 500
Code commissioners .....	.....	10, 500
Legislative expenses	45, 850	400, 000
Contingent fund executive department	25, 000	20, 000
Contingent fund treasurer .....	.....	1, 000
Contingent fund attorney general .....	.....	500
Contingent fund comptroller .....	.....	500
Contingent fund State auditor .....	.....	500
Contingent fund adjutant and inspector general .....	.....	500
Contingent fund superintendent education .....	.....	500
Contingent fund secretary of state .....	.....	500
Contingent fund State librarian .....	.....	150

This statement is not intended as a full comparison of all public expenses during the two periods compared, but is made with the view of exhibiting to the convention the relative scale of expenditures by the present government so far as herein exhibited.

Upon a conference with his excellency Governor Scott, in accordance with the terms of the resolution under which this committee was raised, his excellency made substantially the following suggestions, in which your committee concur:

1. The office of county auditor may be dispensed with, except in Charleston County, and the treasurer discharge all the duties now performed by the auditor and treasurer.

2. The duties of State auditor may, with propriety, be discharged by the comptroller general.

3. The duties of the commissioner of the bureau of agricultural statistics may be transferred to the secretary of state, without additional compensation.

4. The place of assistant adjutant general can be dispensed with, and the duties performed by the adjutant general.

5. Assistant librarian of the supreme court may be dispensed with.

ELECTIVE OFFICERS.

1st. The compensation of school commissioner may be reduced in all the counties to an equivalent for their services.

2d. The compensation of county commissioners should be reduced, the number of days for duty fixed by law, and the per diem allowed only for days actually on duty; their accountability for moneys received for licenses, &c., should be regulated by law, requiring them to report to competent authority the amounts received, as heretofore such moneys have not been accounted for in many counties.

The fees of trial justices, solicitors, and constables might be proper matters for legislation.

The adjutant general's salary should be reduced to a commensurate amount with his services.

In addition to the cases above particularized, your committee are of opinion that \$10 per diem, during the sitting of the senate, is ample compensation to the lieutenant governor, while that officer receives the further salary of \$2,500 per annum.

In conclusion, your committee would say, generally, that they are of opinion that the rate of compensation now paid to the various State and county officers might be very materially reduced, with great advantage to the people of the State, and without detriment to the public service.

The report was considered immediately, and adopted.

Mr. Cannon, from the committee of eleven, made the following report:

The committee of eleven, to whom were referred a preamble and sundry resolutions, as to the best mode of restoring confidence in and reforming the government by conferring with his excellency, and the appointment of committees of examination, &c., report:

That the subject-matter embraced therein having been fully considered and set forth in a report made by this committee, they ask to be discharged from the further consideration of the same.

Also, the following:

The sub-committee, to whom was referred a resolution to report on the propriety of proposing some plan, through the governor or otherwise, by which the laws requiring all official notices to be published in certain papers be repealed, or so modified as to remove said requisition, beg leave to report that they have considered the same. We fully concur in the impropriety and injustice of the above law, and recommend the passage of some law by which said grievance may be removed.

The above reports were considered immediately, and adopted.

Mr. Butler, from the committee of eleven, to whom was referred the resolution that a committee of five be raised to examine and report upon the action of the State financial agent, made the following report:

The committee of eleven, to whom was referred the resolution that a committee of five be raised to examine and report upon the accounts of the State with the financial agent of the State at New York, and that they apply to the governor for his aid and authority to make this examination, beg leave respectfully to report:

That, inasmuch as the same matter is provided for in the report of a sub-committee of this committee, they ask to be discharged from the further consideration of the same.

The report was considered immediately, adopted, and the committee discharged.

Mr. Jones, from the committee of eleven, to whom was referred the resolution regarding the recalling of bonds issued under the act of 26th August, 1868, reported as follows:

The committee to whom this resolution was referred have considered the same, and recommend its adoption.

The report was considered immediately, adopted, and the resolution agreed to.

Mr. Warley introduced the following resolution:

Resolved, That this convention express its unqualified disapproval of all secret political associations, by whatever name they may be called, and entreat all good citizens, irrespective of party, to discountenance any and all such organizations.

The resolution was considered immediately, and agreed to.

Mr. Baldwin introduced the following preamble and resolution:

Whereas by an act of the general assembly passed at the regular session of 1868 to 1869, the State waived and postponed an existing lien of the State to secure a firmer indorsement of the bonds of the Charleston and Savannah Railroad Company by the State, in order to enable the said railroad company to execute a new mortgage for its own benefit: Therefore,

Resolved, That it be referred to Messrs. Porter & Conner, attorneys at law, to examine the said act, and to take such measures for the protection of the interests of the State in the said Savannah and Charleston Railroad Company as they may deem practicable and wise.

The president, Hon. W. D. Porter, stated that Messrs. Porter & Conner had already delivered a legal opinion on the matter embraced in the resolution, and he would therefore beg leave to withdraw such names.

This was agreed to; and, on motion of Mr. Baldwin, the names of Messrs. Pressly, Lord & Inglesby were substituted for those of Messrs. Porter & Conner.

The resolution, as amended, was adopted.

On motion of Mr. Chamberlain, the vote whereby the report of Mr. Ball, from the

committee of eleven, on resolution relative to increase of State and county offices since 1868, was adopted, was reconsidered.

Mr. Chamberlain moved to amend the report by striking out after the words "secretary of state," in the tabular statement, the words "and fees."

The amendment was agreed to; and the report, as amended, adopted.

Mr. Senn, of Richland, introduced the following resolution:

Resolved, That a committee of three be appointed by the chair, who shall have charge of the publication of the proceedings and the defrayal of the expenses of this convention; and that the secretaries of the convention be authorized to pay over the funds in their hands to the said committee.

The resolution was considered immediately, and agreed to.

The chair appointed as the committee Messrs. R. D. Senn, T. Y. Simons, and Myron Fox.

The chair announced that the several railroad companies had tendered a free passage home to the delegates.

Mr. Aldrich, of Barnwell, introduced the following resolution:

Resolved, That the thanks of the convention be returned to the several railroad companies for the transportation so liberally offered to the members of the convention.

The resolution was considered immediately, and agreed to.

Mr. T. W. Woodward, of Fairfield, introduced the following resolution:

Resolved, That the executive committee be instructed to inquire into the proceedings of the land commissioner and report fully to this convention what amount of bonds has been issued for the purposes of the same; what has become of those bonds; if sold, what has been done with the proceeds; how much land has been bought; from whom purchased, and at what prices; how much, if any, of the said lands has been sold, and what amount is still remaining in the hands of the commissioner.

The resolution was considered immediately, and agreed to.

The chair announced the following delegates as a committee, under the report of the committee of eleven, to confer with the special investigating committee appointed by the general assembly:

Messrs. Edwin J. Scott, Richard Lathers, William Wallace.

The following were appointed a committee of five to investigate and report a plan to restore the credit of the State, and to confer with the representatives of the fire loan securities:

Thomas Y. Simons, James Chesnut, F. F. Warley, Gabriel Cannon, M. C. Butler.

The convention resolved itself into a committee of the whole, with Hon. James Chesnut in the chair.

Mr. Aldrich offered the following resolutions:

Resolved, That the thanks of this convention are due, and are hereby tendered, to the Hon. W. D. Porter, for the able, courteous, and impartial manner in which he has presided over its deliberations.

Resolved, That the chairman of this committee be requested to communicate this action to the Hon. W. D. Porter.

Mr. Aldrich moved the unanimous adoption of the resolutions; which was agreed to.

The committee then rose.

Mr. Chesnut, in a few appropriate and eloquent remarks, communicated the resolutions to the president, Hon. W. D. Porter.

The president responded, in the following words:

"If I felt gratified at the appointment to this honorable position, how much is that gratification increased by the expression of your satisfaction at the manner in which the duties of the chair have been discharged! This has been to me altogether a duty of pleasure. It was my good fortune to preside for years over one branch of the general assembly of this State, in days that are gone, never to return. You remember those years—they were years of pride, of honor, and of happiness. Let me pay to that body the tribute of saying that during the whole period of which I speak, memory brings to me no remembrance of any word or act of a member toward myself, or any fellow-member, that calls up a blush of shame or a feeling of regret. There was so much of kindness, of high courtesy, and unexceptionable decorum! It was, in truth, an assembly of gentlemen. The memory of the honor of presiding over them will be dearly cherished to the latest day of my life.

"I cannot refrain from saying what I feel—that this is a reunion of the same kind. I see so many of my old associates—give and receive so many warm congratulations and friendly pressures of the hand. It is like a meeting of survivors after some shipwreck or other great and fearful disaster. What a pleasure to look again in each other's faces, to see the kindling of each other's eyes, and feel the throbbing of each other's hearts! We have been made dearer friends by the perils we have run, and the sacrifices we have made. For this convention, I will not speak in praise of it, but we need not be ashamed of it. Let results speak in its behalf, and appeal for it to the country for its approval.

"I think it for the common good that this body has determined to adjourn subject

to future call. It may or it may not be necessary to meet again. So far, it has deserved well of the country. If its future action be undignified or unharmonious, it will accomplish nothing; but if it act as it has heretofore acted; if it avoid Federal and State party politics, and wage war only against maladministration and corruption in whatever party; if it welcome to its ranks all gentlemen of whatever party who are in earnest in reforming the abuses and oppressions of which we complain, and who will help us to obtain good magistrates, wholesome laws, and an economical and honest administration of the public finances—if it do these things, it will accomplish infinite good, and entitle itself to the gratitude of the country. I think we have done much to remove misunderstanding, and inaugurate an era of better feeling and better conduct of our public affairs.

Thanking you for the honor conferred upon me, and wishing you a safe and happy return to your homes, I bid you farewell.

Mr. Aldrich introduced the following resolution:

Resolved, That the thanks of this convention be extended to his excellency Governor Scott and the other officers of the State government, for the use of the senate chamber, and also his general courtesy toward the convention and the members of its committees during their official relations connected with the delicate and important interviews between them.

The resolution was considered immediately, and agreed to.

The president then, at thirty minutes past 1 p. m., declared the convention adjourned *sine die*, subject to the call of the executive committee.

THE PUBLIC DEBT OF THE STATE.

The following is a statement of the bonds and stock of the State, on which its name appears, outstanding, as near as could be ascertained during the short session of the convention:

Amount of bonds and stock outstanding on the 1st of October, 1867, as exhibited by the report of the comptroller general for November, 1867, exclusive of bonds issued for military defense	\$5, 407, 215 23	
To this must be added the difference between the true amount due on the fire loan sterling bonds past due, unpaid, and payable in London, to wit, \$788,222 27; and that stated in the comptroller general's report, to wit, \$484,444 51	383, 777 76	\$5, 790, 792 99
Amount due on bonds issued under acts of 1860 and 1861 for military defense, as by comptroller's report for October, 1867		2, 854, 679 78
Total as principal of October, 1867		8, 645, 672 77
Bonds issued by present administration, as follows:		
Under act approved August 26, 1868, for redemption of bills receivable	\$500, 000 00	
Under act approved August 26, 1868, for payment of interest on public debt	1, 100, 000 00	
Under act approved September 15, 1868, for funding bills of Bank of the State of South Carolina	1, 258, 550 00	
Under act approved February 17, 1869, for relief of the treasury	1, 000, 000 00	
Under act approved March 27, 1869, for land commission	200, 000 00	
Under act approved March 1, 1870, for land commission	500, 000 00	
		4, 558, 550 00
Total outstanding obligations of the State as principal		13, 204, 222 77
Statement of contingent liabilities of the State of South Carolina, arising from the indorsement of railroad bonds:		
South Carolina Railroad bonds, payable in 1868, secured by first mortgage	\$2, 093, 312 40	
Charleston and Savannah Railroad bonds, payable in 1877, secured by first mortgage	505, 000 00	

520 CONDITION OF AFFAIRS IN THE SOUTHERN STATES.

Savannah and Charleston Railroad bonds, under act of 1869, payable in 1889, secured by first mortgage.....	\$245, 750 00	
Laurens Railroad bonds, payable in 1879, secured by first mortgage.....	75, 000 00	
Spartanburgh and Union Railroad bonds, payable in 1878-79, secured by first mortgage.....	350, 000 00	
Greenville and Columbia Railroad bonds and certificates of indebtedness, payable in 1881, 1882, 1883, and 1888, under acts of 1861, 1866, and 1869, secured by first mortgage.....	1, 426, 545 80	
Blue Ridge Railroad bonds, under act of 1868.....	4, 000, 000 00	
		<u>\$8, 695, 608 20</u>
Indebtedness of the State as principal and guarantor, inclusive of bonds issued for military defense.....	22, 899, 830 97	
Less amount due as of October, 1867, on bonds issued for military defense.....	2, 854, 679 78	
Indebtedness of the State as principal and guarantor, exclusive of war debt.....	20, 045, 151 19	<u><u></u></u>

SPARTANBURGH, SOUTH CAROLINA, *July 8, 1871.*

JACKSON SURREATT (colored) sworn and examined.

By the CHAIRMAN:

Question. Do you live in this county?

Answer. Yes, sir.

Question. Where?

Answer. About a mile north of Cowpens Battle Ground, on Mr. Bob Scrugg's land.

Question. What do you do there?

Answer. Farm.

Question. On rented land or land of your own?

Answer. I am just working with another man on land.

Question. How long have you lived there?

Answer. I commenced last Christmas a year ago.

Question. Were you raised in this county?

Answer. Yes, sir; I was raised below—down below Cowpens Furnace, near sunrise course from there.

Question. Have you been visited at any time by the Ku-Klux?

Answer. Yes, sir.

Question. When?

Answer. About two months ago, on a Sunday night, and the Saturday following.

Question. Go on and tell us all about it. Take the first time and tell us what they said and did.

Answer. I waked up in my bed, and I heard somebody running against the door. There was two. I halloood, "Wait, and I will open it." They stopped. When I got up they had bursted a piece off, but it was not open. I opened it wide, and one said, "Have you ever went radical?" I told them I had. The other halloood, "Blindfold him;" and he jerked me out of the door and blindfolded me; and they said, "Take a walk with me," and they took me off about fifty yards. I could tell the next day how far it was. They told me to get down on my knees. I got down. He said, "Did you vote radical?" I said, "Yes, sir." He said, "What made you do it?" I said, "Because I was with the white people when I voted that way." They said, "Did you think the white people was right?" I told them I had no other source to cling to. I did not go by myself. I thought it was as right as anybody. He says, "Did the radical party promise to kill all us democrats?" I said, "They never told me that." He said, "If you tell me a lie we will murder you right here." I said, "I will tell you the truth." They said, "Didn't they say they would kill us?" "No," says I. Says he, "Are you lying? You are damn good now; but didn't you get up and go and vote before breakfast?" I says, "I did, in order to not lose much time. It was near my home, and I was busy cutting grass, and I didn't want to lose time." Says he, "You slipped off and went." "No, I didn't," says I, "I went along slow." "What made you vote radical?" Says I, "I did not know any better." Says he, "Do you think you will do any better?" I said, "I will do the best I know how." They said, "Damn you, that is not the best. You have been talked to, to go democrat, and, damn you, you didn't do it, and we will show you to-night." Then

they said for me to pray for them. I prayed. They said then, "Just hit him a lick apiece;" and they hit me a lick apiece, and all the time they had me blindfolded, and they made me run to the house, and I had just time to look where the house was before I ran. The house seemed strange to me. I got in. They stood a while, and I peeped through the crack. They called my lady out to look at them, and deviled us a while, and they went off.

Question. Deviled you—what is that?

Answer. They blackguarded us, and I could not swear to any man of them, for they were disguised. It looked like paper stuck up beside the head, and it run up to a sharp point on the top, and they had their coats on and under their breeches to make them look big—bulging out.

Question. How many were there?

Answer. They said they all hit me a lick apiece, and they gave me fourteen licks; and after they let me run to the house I heard others off whistling. I could not tell how many there was in all.

Question. That was on Sunday night?

Answer. Yes, sir; Sunday night the first time.

Question. Did they come again?

Answer. Yes, sir; on the next Saturday night they come. They inquired then for my son. I told them I hadn't any one there at home big enough to do anything. They said, "We want that one that stays here—your wife's son." I said he was hired off at Judge Edwards' and didn't come home. The first time they asked for him. When they came again I had a clock and it struck one, and I laid there, and the first thing I heard the yard was full of horses, and they were rearing and cursing, "Open the door, or we will kill the last one of you." I was scared, and opened it; and they cried, "Gentlemen, blindfold him." They started off with me, and they run in the house and cursed and tore and jerked my daughter out, and jerked my wife and my wife's son out of bed, and the first thing I knew they were bringing them all out. There was a man in there cursing and wanted a light. They took us about seventy yards and made me let down the fence, and made me and my wife jump two logs together. They made us lie down about three steps apart, and they began to cut switches. They made us all lie down—my wife and all. They had us nearly naked. It was getting warm weather. I was in my shirt-tail. They cut switches, and they hit my wife's son a lick, and asked him what he was doing. He told them he did not know what he was doing. They asked one his number, and he said No. 10, and then they hit me ten, and then they called out eight. The man had cut a switch, and he came to my head and he looked at me, and then he stepped off to the horsemen, and they all stepped up and looked, and then one hallooed, "Ride up," to the horsemen, as I was lying there. I said to myself, "I believe if I lie here they will put me and all my folks through, so that I can't do any good," and I said, "If my Old Master is for me, he will strike for me to-night and save me, and I must do my best;" and I rose on all fours and jumped and ran about fifty yards and stumped my foot, but I raised up and ran on and took right through the woods, and ran until I run over a log, and I found they were not after me, and sort of stopped, and thought I would take roundings on them, for fear they would catch me; and I ran back about a quarter of a mile into the swamp, and that was the last I saw of them.

Question. What did they do with your wife?

Answer. They said they had not made good hands in the farm. They said that to my wife and daughter.

Question. Is your wife here, and your daughter?

Answer. My wife is; my wife's son went off on Friday. He was afraid they would get after him again. He was a young man, and the person he was living with dismissed him, and he told me he would go off and try to make something. It has been last Tuesday a week since I have seen him.

Question. Had you any quarrels in the neighborhood?

Answer. No, sir; I do not think anybody had anything against me. Everybody spoke well of me. I thought it was all right. All they had against me was voting the radical ticket.

Question. Do you know any of these men who were there the last time?

Answer. I could not tell for my life who were there.

Question. You say this was about two months ago?

Answer. Yes, sir.

Question. Have you been living there since then?

Answer. Yes, sir; part of the time in the woods and at home. I laid about five nights in my house since, on rainy nights when I thought no person could stand it to travel, but at other times I have staid outside in the woods.

Question. Why?

Answer. For fear these men would come again. I did not know but they were coming, or at what time they would come.

Question. Did you take your family out with you?

Answer. I had to leave them in the house. My wife had a young baby, and my daughter has not been well enough to go out since they beat her. My wife has the baby.

Question. Had she that young child when she was taken out?

Answer. Yes, sir.

Question. How old was it then?

Answer. It is nine months old now, and you can count from that.

Question. It was seven months old?

Answer. Yes, sir.

Question. Was it taken out that night?

Answer. No, sir; the child was in its mother's arms, and as she come out she put it in the bed and it screamed. I was powerfully uneasy about my baby, and could not keep still for it, and the men still cursed. There were some other little children there, and they crawled to it.

By Mr. STEVENSON:

Question. What sort of whistling did you hear?

Answer. It sounded like a man whistling out of a key, or something hollow.

Question. Was there more than one such sound?

Answer. It seemed to me there was one sound like that, but it was in different courses.

Question. In different parts of the woods?

Answer. Yes, sir; it seemed so to me, but I was scared so I couldn't tell hardly any more than I know they were whistling.

Question. How many men were there the last night?

Answer. I can't tell, but there was not as many as the first night.

Question. What do you mean by saying if your "old master" was for you he would be with you?

Answer. I thought Providence was for me, and I put confidence in him to carry me through.

Question. Were you a slave?

Answer. No, sir; I am not. I was before I was free.

Question. Before the war?

Answer. Yes, sir.

Question. How old are you?

Answer. I am going on forty.

Question. Were you raised in that neighborhood?

Answer. No, sir.

Question. Where were you raised?

Answer. Some nine or ten miles below.

Question. In the same county?

Answer. It is divided now. It is in Limestone Township now.

Question. But is in Spartanburgh county?

Answer. Yes, sir.

By Mr. VAN TRUMP:

Question. When was it that this conversation about being a radical occurred between you and the members of that Klan?

Answer. I can't recollect exactly who now, but 'most any of the democrats would get after me about it; almost any of them who saw me would get after me about being in the radical party. They do not believe in it.

Question. You mean democrats that were not there that night?

Answer. I do not know; I can't tell. They must have been, I reckon. I don't know who they were.

Question. You say that democrats have frequently talked to you about being a radical?

Answer. They said so.

Question. Who said so?

Answer. Them Ku-Klux.

Question. What did they say?

Answer. They said the radicals had said they were going to kill the democrats.

Question. I ask when that took place between you and the Ku-Klux, as you call them?

Answer. About two months ago.

Question. But at what point of the night did that conversation take place? Where was it?

Answer. At my home.

Question. Was it when they first got to the door or afterward?

Answer. It was before they blindfolded me the first time. Before I opened the door they called me; "Damn your old soul, didn't you go radical?" One says, "Blindfold

him;" and one jerks me right out of the door, and they blindfolded me; and he says, "Take a walk with us;" and I went. He said, "Get down on your knees." I got down. He says, "What made you go radical?" I says, "I did not know any better. I went with the white folks, and am still with the white folks, and don't know any better." He said, "Will you do better?" I said, "I do not know any better." He says, "What made you go radical?" I said, "I didn't know any better;" I was with the white folks——"

Question. Hold on. I did not ask you to go over the whole thing again; I asked you when that occurred.

Answer. It was the first night.

Question. What made you start to go over the whole thing again?

Answer. I thought you wanted to know it.

Question. You have been going over that kind of song for some time, have you not?

Answer. Telling it?

Question. Yes, sir.

Answer. Yes, sir: I have.

Question. How long have you told it?

Answer. I do not know.

Question. A good many times?

Answer. Yes, sir.

Question. To whom?

Answer. I have told you.

Question. To whom else?

Answer. To Mr. Tench Blackwell; I told him.

Question. Have a number of people come to you to know about it?

Answer. Not a great many.

Question. How many?

Answer. I do not remember of any white persons coming.

Question. None at all?

Answer. No, sir.

Question. Have you talked with no white persons going through the country?

Answer. Going through the country they have asked me if the Ku-Klux had whipped me. I said, "Yes, they whipped me."

Question. Did you tell them all about it?

Answer. I told them they whipped me about the republican party.

Question. Have you talked with anybody within a day or two about it?

Answer. I don't remember.

Question. Could you recollect if you had?

Answer. I believe it was about four days that I was talking to some white men about it. One was Mr. Edwards. I went there to see my sons.

Question. Where is that?

Answer. Above Cowpens three or four miles.

Question. How long have you been waiting on this committee?

Answer. I came here Wednesday.

Question. You have been here from that day waiting?

Answer. Yes, sir.

Question. Have you talked with anybody about it since you have been here?

Answer. I do not recollect of telling them about this.

Question. Have none of these people about town here been to see you about this?

Answer. Not to examine me.

Question. You say that?

Answer. I do not remember of their having been to me to examine me.

Question. Have you been down in the yard back here?

Answer. Yes, sir.

Question. Has Rev. Mr. Cummings been to see you?

Answer. No, sir. I saw Mr. Poinier.

Question. What did he say?

Answer. He told me to hold on; my time would come to be examined.

Question. Did he go over there to see you in the yard?

Answer. Yes, sir; and another gentleman; I do not remember his name.

Question. Was it Mr. Fleming?

Answer. I don't know Mr. Fleming. I think Mr. Poinier was about all.

Question. Was it Mr. Camp?

Answer. I believe I know him, too.

Question. Was it Mr. Wallace?

Answer. I don't believe I talked with him about it.

Question. What did Mr. Poinier tell you about it?

Answer. He told me he wanted me to give evidence about being whipped.

Question. Could you not tell that without his telling you?

Answer. I could not tell it without being cited by somebody.

Question. Did he tell you what your evidence was to be ?

Answer. No, sir.

Question. Did he not tell you you must tell about that radical matter ?

Answer. I don't recollect about it.

Question. Why can you not recollect ? It has only been a day or two ago. Did he not tell you that he wanted you to tell what these men said about radicals ?

Answer. I do not remember of his telling me that.

Question. Do you recollect that he did not ?

Answer. I don't believe Mr. Poinier told me so.

Question. How long was he with you ?

Answer. He never staid with me any time.

Question. Did he come on purpose to see you ?

Answer. He was just passing through, and I told him I wanted my time to come off; that my wife was with me.

Question. Did he stop the other colored people ?

Answer. Yes, sir.

Question. Did he talk all around among them ?

Answer. No, sir; not particularly; only one or another would go to him for satisfaction.

Question. Nobody paid you anything for coming here ?

Answer. No, sir.

SPARTANBURGH, SOUTH CAROLINA, July 8, 1871.

JANE SURRATT (colored) sworn and examined.

By the CHAIRMAN :

Question. Are you the wife of that man, Jackson Surratt, who has just testified ?

Answer. Yes, sir.

Question. We have had from your husband the story of the Ku-Klux coming to your house and taking you out, and of his running away from them; will you begin at the point where he left off, and give us what occurred after that ?

Answer. I will, as well as I can.

Question. Perhaps you had better begin at the house. Be as brief as you can.

Answer. They came to my house and took me out and whipped me. They asked, did I work; I told them I did; they said I didn't; I said I did, as far as I was able; I was not able to do hard work; and they just whipped me on.

Question. How many of them came to your house ?

Answer. I was so frightened I don't know; I don't recollect how many, but I think there was six or seven, if I am not mistaken; but I was so frightened that I don't remember.

Question. Did they take out anybody else but you ?

Answer. Yes, sir; my husband and daughter and my son, and whipped them all at the same time. They didn't whip him then; they had whipped him before; he got away; but they whipped the balance of us.

Question. How much did they whip you ?

Answer. I don't know, but I think that they gave me near forty lashes, or quite forty.

Question. On what part of your person ?

Answer. They whipped me from my ankles clear up to about here, above my waist. They made us all lay down.

Question. Were you whipped hard ?

Answer. Yes, sir; they whipped us with things bigger than my thumb.

Question. With what ?

Answer. Switches and sticks, I call them.

Question. Did it hurt you ?

Answer. Yes, sir. Sunday and Monday I couldn't hold my child on my lap to suckle it; I had to lay it on the bed and stand by it. I had no way to rest except on the flat of my belly. I couldn't rest.

Question. What did they do to your son and daughter ?

Answer. They whipped them. They whipped my son miserably bad; they whipped my daughter very bad; she has not been able to do much since; I don't believe she will ever get over it.

Question. Did they say why they whipped you, except that you did not work ?

Answer. That was all. They told her she didn't make a good hand last spring. He was hired out, and they told him he didn't make a good hand; he was at Judge Edwards's.

Question. Who was "he" ?

Answer. My son. They said he didn't make a good hand. They told the man about it. He told the man he was working for about it, and he asked him about it. He had heard that he was whipped for it, and he said, "I never said so." They said my daughter never made a good hand. You see it was my husband and my daughter put in the crop with the man where we staid.

By the CHAIRMAN:

Question. You say there were six or seven at the house. Were there more where you were whipped?

Answer. One held the horses. I saw the crowd that first came, but I didn't know how many there was, I was so frightened.

Question. Did you know any of the men?

Answer. To tell the truth, I don't say that I know any one at all; I was so frightened when they came up. They made such a lamentation coming up that it frightened me so that I cannot say who any one was.

By Mr. VAN TRUMP:

Question. Who made the lamentation?

Answer. They and their horses. I was asleep, and the first thing I knew they burst the door open and took my husband out, and then came back and took me. I had my baby on my arm, and they like to have pulled it out of the bed.

By the CHAIRMAN:

Question. You did not know any of these men?

Answer. No, sir; I don't know, to say I knew any one.

Question. Have you been sleeping at home since then?

Answer. Yes, sir; I staid at home. I was afraid about it, but being my little children were there, I couldn't take them about, and I had to bear it. My husband has not slept at home. I have slept the best that I have rested in two months since I have been here in town.

Question. What effect have these whippings of the colored people had upon the colored people in your part of the country? Do they feel safe at home?

Answer. I can't tell you; I don't know what they mean by it.

Question. Do you know whether the colored people feel safe or not? Have you talked about it with them?

Answer. No; I don't know whether they do or not; I know I don't.

By Mr. VAN TRUMP:

Question. Have there been any white people to your house since then to talk with you about the abuse these men gave you?

Answer. There has been nobody only the man we work with; I believe he came in the morning. We were to go out to work and didn't go, and he hallooed to come out there to work, and my husband hallooed, "There is nobody here able to work to-day." We could hear him talking about it with my husband, but I was so bad off that I didn't pay much attention.

Question. Has nobody come to you on purpose to talk with you about it?

Answer. Not that I know of.

Question. Have you been in town two or three days?

Answer. Yes, sir; since Wednesday.

Question. Have not white persons in town been talking with you about it?

Answer. No, sir.

By Mr. STEVENSON:

Question. Did the man for whom your husband worked try to find out who did it?

Answer. Not as I know of; if he did I never knew it.

By Mr. VAN TRUMP:

Question. Do you believe anybody can find out?

Answer. He said he was not a friend of killing, but he was a friend of Ku-Kluxing.

Question. Who was he?

Answer. Dennis Scruggs. He called that killing, we were whipped so bad.

Question. Is Dennis Scruggs the man on whose farm you lived?

Answer. Yes, sir.

Question. When he came down there did he seem satisfied because you were whipped?

Answer. He didn't say much, only he said that—that he wasn't a friend to killing.

Question. But he was a friend to the Ku-Klux?

Answer. Yes, sir.

Question. Why did he say that he was a friend to "Ku-Kluxing?"

Answer. I don't know; I suppose it came into his mind then because I was beat so.

Question. Do you know what you are saying now, Jane?

Answer. Yes, sir; I know.

Question. How far does he live from you?

Answer. I can't exactly tell you; we just live in sight.

Question. You live now on his farm?

Answer. Yes, sir.

Question. Have you had any difficulty with him?

Answer. They are farming together; that is all.

Question. Is it over?

Answer. No, sir.

Question. Have you had any dispute with him?

Answer. No, sir.

Question. Has your husband?

Answer. None; only he has been sort o' angry about getting out o' work, but it was little or nothing.

Question. You say Scruggs was angry about getting out of work?

Answer. No, sir; about getting out to work.

Question. Was he complaining of your husband?

Answer. Yes, sir.

Question. Did he work for him?

Answer. They both worked together; him and my daughter has gone in, and he is to find the horse for them, and he is to get such a part when it is made.

Question. You mean that your husband is?

Answer. Yes, sir.

Question. He does the work and Scruggs finds the horse?

Answer. Yes, sir; and Mr. Scruggs puts himself in too. My husband finds himself and his daughter, and sometimes I work a little.

Question. Does Scruggs live with you?

Answer. He is a white man that lives on his land.

Question. There is a daughter in your house; that is your husband's daughter and not yours?

Answer. No, sir; it is his and mine too; but I say his. I just said his daughter.

Question. Had Scruggs and your husband a dispute?

Answer. They didn't have nothing worth attention.

Question. When is your husband's time out on the farm?

Answer. I don't know. We will not get done now in two weeks, I expect.

Question. Then will the time be out?

Answer. Yes, sir.

Question. Then he will have to move away?

Answer. That's what the Ku-Klux told him; he must move from there.

Question. What are the relations between you and Scruggs?

Answer. He never said.

Question. Has he not told you that you would have to leave when your time was out?

Answer. No, sir.

Question. You say the time will be out in two weeks?

Answer. Then we will be done work if it is not wet weather.

Question. Does your husband expect to stay another season?

Answer. He did talk like moving.

Question. Was that because he had some trouble with Scruggs?

Answer. No, sir; he said he believed that he would go to the mountains, where he believed that he could get good land.

Question. This land of Scruggs' is not good?

Answer. A portion of it is tolerable, and some is sorry. He has just cleared up his ground this year.

SPARTANBURGH, SOUTH CAROLINA, July 8, 1871.

BARNET RUSSELL sworn and examined.

By the CHAIRMAN:

Question. Do you live in the county?

Answer. In this county? Yes, sir.

Question. In what part of it?

Answer. I live on Pacolet, about fourteen miles from here.

Question. How long have you lived there?

Answer. Well, sir, I have lived there, I have been about there—not at the same place, but about the county—for two or three years. I do not know how long.

Question. What business have you been engaged in?

Answer. I have been farming, sir; and first one thing and another. I have been

working for my brother some in the crop. I was married hardly three months ago, and I have been living at my father-in-law's ever since I was married.

Question. Have you been distilling any during that time?

Answer. No, sir; I have not.

Question. Were you engaged at a distillery at any time?

Answer. No, sir; I have been plowing ever since cropping time just as hard as I could link it, till yesterday, when they came after me.

Question. Have you a brother there that is engaged in distilling?

Answer. No, sir; not as I know of.

Question. You do not know of any distilling by you or your brother?

Answer. If he has done any distilling it is more than I know. I do not say that he has not; if he has it is more than I know.

Question. Have you ever been at any place where there was any distilling done that you know your brother had anything to do with?

Answer. I have not been at any place where there was stilling going on at the time.

Question. Has there been any distilling in the neighborhood?

Answer. If there has been it is more than I know. I have not been about my brother, near his house, but two or three times since I have been married. I have not been about there, but at home at work ever since crop time, making the crop with my father-in-law, Mr. Edmund Cooley.

Question. Do you know anything of the operations of these persons they call Ku-Klux in that country?

Answer. No, sir; I do not know any more about a Ku-Klux no more than a man in the moon about a Ku-Klux.

Question. Do you know anything about a secret society or organization that is called by any other name up there than the Ku-Klux?

Answer. No, sir.

Question. Do you know anything of a society called the White Brotherhood?

Answer. No, sir.

Question. Or of a society called the Invisible Empire?

Answer. No, sir.

Question. Or the Invisible Circle?

Answer. No, sir.

Question. Or the Constitutional Union Guards?

Answer. No, sir; I don't know nothing of no such thing at all. I don't know anything about it.

Question. Have you ever taken an oath of any kind in a secret society or organization of any name?

Answer. No, sir.

Question. None whatever?

Answer. No, sir; I have not.

Question. Let me read you an oath, and I will ask you after I have read it what you know about it.

Answer. Well, sir.

Question. "I do solemnly swear that I will support and defend the Invisible Circle; that I will defend our families, our wives, our children, and brethren; that I will assist a brother in distress to the best of my ability; and that I will never reveal the secrets of this order, or anything in regard to it that may come to my knowledge; and if I do, may I meet a traitor's doom, which is death! death! death! So help me, God, and so punish me, my brethren!"

Have you ever heard an oath of that kind before?

Answer. I have not, upon my word and honor.

Question. Have you ever taken an oath of that kind?

Answer. I have not.

Question. Have you ever heard an oath of that kind administered to anybody?

Answer. I have not. I have not heard no such.

Question. You know nothing about the signs of this order?

Answer. I know not a thing about it, under the sun; not a thing.

Question. Have there been any persons in that region whipped or taken out by the Ku-Klux?

Answer. I have heard of it being about the country. I have heard it talked about a good many times, but I never saw the Ku-Klux in my life. I have heard of them whipping about, but never saw them to know anything about them more than you do. If you know anything at all you know more than I do. I know nothing about them. I have heard a great deal of talk about them, but as for knowing anything, I don't know it.

Question. You never saw a raid of the Ku-Klux?

Answer. No, sir. I have heard of them raiding around several times, but I don't know anything about it.

Question. Are you not under arrest at present for being with a party of these Ku-Klux?

Answer. I don't know. They didn't tell me what they brung me for. They just come after me. They never put me under no arrest at all. They brung me here. They put me in jail yesterday evening.

By Mr. VAN TRUMP:

Question. Did they not read any paper to you?

Answer. No, sir.

Question. Did not tell you what they came after you for?

Answer. No, sir.

Question. Just took and brought you?

Answer. I was in the field plowing. They sent my wife, and she came down from the house a distance, and halloed for me; and I came up to the house, and put up my horse, and Mr. Fleming said he had come after me. I didn't ask him any questions.

Question. William McGill Fleming, of this place?

Answer. Yes, sir.

Question. How many soldiers had he with him?

Answer. I believe it was seven.

By the CHAIRMAN:

Question. Did he tell you he had come with a process from the United States officer?

Answer. They didn't say. I just came up from plowing, and they told me to go in and put up my horse. I went to the stable, and came back, and they were all sitting on the piazza. I walked in and spoke to them. Mr. Fleming said he had come after me to go to Spartanburgh, and told me to get ready as quick as I could. I asked nothing, but went and fixed.

Question. Did he tell you what for?

Answer. No, sir.

Question. Do you not know yet?

Answer. No, sir; I don't know yet what they brought me for.

Question. You never asked him?

Answer. I never asked him anything about it. I went on and put up my horse, and came back and put on my clothes. They never arrested me at all. I went anywhere I pleased. I went on with them from there to Mr. Mason's, from our house. They said they wanted me to show them the way to Mr. Mason's. I put on my clothes, and put up my horse, and went with them.

Question. Was Mason also arrested?

Answer. Yes, sir; he was brought here.

Question. Do you not know yet what you were arrested for?

Answer. No, sir. This is the first time I have been into —. I have not been out anywhere.

Question. Do you not know you are charged, before Mr. Poinier, the United States commissioner, with some alleged offenses among the Ku-Klux?

Answer. They didn't tell me.

Question. Do you not know that that is what you are arrested for?

Answer. I suppose it is, now since I have been called here.

Question. No, we are not going to arrest you.

By Mr. VAN TRUMP:

Question. You mean you know from the course of examination here?

Answer. Yes, sir. They called me here. I never knew anything to tell.

By the CHAIRMAN:

Question. Do you know a colored man named Julius Cantrell?

Answer. Yes, sir.

Question. Did you ever work with him?

Answer. Yes, sir; I have some.

Question. Where?

Answer. At my brother's.

Question. At what work?

Answer. Plowing and cleaning up some.

Question. Did you never work with him at a distillery?

Answer. No, sir.

Question. Are you sure you did not?

Answer. Yes, sir.

Question. How near to where you worked with Julius is the nearest still-house?

Answer. The nearest still-house was on my brother's land.

Question. How near was that?

Answer. It was within a quarter of a mile.

Question. There was a still-house on your brother's land?

Answer. Yes, sir.

Question. Were you and Julius never together at that still-house?

Answer. Yes, sir; we have been.

Question. You know there is a still-house on your brother's land, and you and Julius were there?

Answer. Yes, sir.

Question. When were you and Julius together at the still-house?

Answer. It has been something over three months.

Question. How long were you and Julius there together?

Answer. Over three months.

Question. What were you doing?

Answer. Clearing and plowing, and fencing around the still-house.

Question. What was being done in that still-house at any time?

Answer. There was nothing in the still-house at all.

Question. Was there any distilling done there?

Answer. There has been in time, sir.

Question. In what time?

Answer. I cannot tell you.

Question. At that time was there no distilling being done?

Answer. No, sir.

Question. When was there any done?

Answer. I tell you, I can't tell you.

Question. You lived on that place?

Answer. I know I did, but there was no distilling going on there while I staid there that I know of.

Question. When did you stay there?

Answer. I was there off and on. I was staying there. I had my washing done at my brother's last year; but did not stay there.

Question. How was it you did not remember about this still being on your brother's land, when I first asked you?

Answer. A distillery and a still-house, I thought were two different things—there is a still-house. You asked me about a distillery.

Question. What is the difference between a distillery and a still-house?

Answer. I understand that in a distillery the still is running; but there was not a still running there. It was just an old still-house, without any shop in it—or nothing. It had no cover on it at all.

Question. During the time you and Julius were working together, did you talk about the Ku-Klux?

Answer. No, sir.

Question. None at all?

Answer. Not as I recollect. There might have been talking about the Ku-Klux—just talking; there is somebody nearly always talking about the Ku-Klux. I don't remember. There is somebody always talking about it.

Question. What led to so much talk about them?

Answer. I don't know. I never had anything to say about them—only people would be talking about what they were doing, and how they were doing, and where they were, and what had been done, when anything was done through the country.

Question. In the talk you and Julius had, did you not tell him at any time that you had been where there were three hundred of the Ku-Klux?

Answer. No, sir.

Question. Did you ever tell him about having been with them at all?

Answer. No, sir.

Question. How old are you?

Answer. I was twenty on the 16th of last May.

Question. Have you had any talk with any of the negroes there, apart from Julius, about the Ku-Klux—any other negroes?

Answer. No, sir.

Question. Did you have any talk with him at all about the Ku-Klux?

Answer. No, sir; I never said anything about the Ku-Klux, unless it was just talking about what we had heard they had done, or something of the sort.

Question. Do you remember of having had any talk with Julius about them?

Answer. I don't remember; there may have been such talk passed, but I don't remember it, if there was.

Question. But you say explicitly that you did not tell him at any time that you were a member of the Ku-Klux, and had been where there were three hundred of them?

Answer. No, sir.

Question. And you did not enjoin upon him that he must never tell of it?

Answer. No, sir.

Question. You never said a thing of that kind to him?

Answer. No, sir.

Question. Have you any knowledge of any association of persons in your neighborhood, let the name be what it may, who whip the negroes?

Answer. No, sir; I don't have any idea at all.

Question. None whatever?

Answer. No, sir.

Question. Have you understood, in all this talk about the Ku-Klux, that it is a part of their duty to deny, either under oath or elsewhere, that they are members of it?

Answer. No, sir; I never understood anything about it, for I never cared anything about it—nor said anything about it—nor never wanted to know nothing about it.

Question. Have you learned yet the offense with which you are charged here before the United States commissioner? Do you know upon whom you are alleged to have committed the offense.

Answer. Me? against who? No, sir; I don't.

Question. You do not know the name of the person who is alleged to have been visited by the Ku-Klux, when you were with them?

Answer. No, sir.

Question. I do not mean now that you know that you were along; but do you know the person whom you are charged with having Ku-Kluxed?

Answer. I don't understand you.

Question. You are brought here under arrest. Do you know that you are brought here under arrest for having been among the Ku-Klux when they visited anybody?

Answer. No, sir.

Question. Therefore you do not know what man you are charged with having Ku-Kluxed?

Answer. No, sir; I don't know anything about it.

Question. Have you employed any lawyers since you came to town?

Answer. No, sir; I never knew what I came for.

Question. Have you made no inquiry of anybody?

Answer. No, sir; I knew I had done nothing to come here for, and I didn't know what they were bringing me here for.

Question. You have made no inquiry to find out what you were charged with?

Answer. I did not.

Question. Of anybody?

Answer. No, sir. Yesterday, since I recollect, as we came along, I asked, or some of the men, the privates, the Yankees, asked me what they took me up for, and what they were taking up so many men for? I said, "I didn't know," and asked him if he knew. He said he did not.

Question. Did you ask the officer or Mr. Fleming when he came for you, and asked you to come to Spartanburgh?

Answer. No, sir; only just as I told you a while ago.

Question. What time yesterday was it that they came for you?

Answer. Between 10 and 11 o'clock, I think; it was before 12 o'clock, I know.

Question. Did he not tell you he was going to take you before Mr. Poinier?

Answer. He did not say. I didn't ask him anything about it at all. He just sent for me to the field.

Question. How do you come to be so indifferent about what you were brought here for? You don't know whether you were brought here charged with distilling, or Ku-Kluxing, or murdering, or what it is?

Answer. No, sir.

Question. You have made no inquiry?

Answer. No, sir.

Question. You do not know anything about what you were arrested for?

Answer. No, sir; I never did anything, and didn't know anything at all of why I was called here. I must be here as a witness against somebody; but I don't know who.

Question. No, we are not trying anybody here; we are only inquiring as to the existence of the Ku-Klux and their operations.

By Mr. VAN TRUMP:

Question. If Julius Cantrell, the negro, has sworn that you confessed to him at your brother's still-house that you were a member of the Ku-Klux band; that you had often been out with them; that you were with them at one time when they were three hundred strong, and that he must not tell all that or any of that, or he would be killed—if he has sworn to that, has he sworn to a lie?

Answer. He has sworn to a lie, as sure as God Almighty stands in heaven this day, [rising and proceeding with a loud voice and excited manner,] and I will stand up on a stack of Bibles and swear it till I die. If he has not sworn a lie, essentially God damn me. He swore a lie, the God damned nigger to hell. The niggers is here for nothing but to swear lies. Witnesses has been brung up to this place of the lowest-down character that can be brung up in Spartanburgh district, and I can prove it by hundreds; I'll be God damn my soul.

The CHAIRMAN. That will do; sit down. Remember where you are. We have had enough of that.

The WITNESS, (sitting.) It is no use to drag up a man, and — over a man, and be run over by a pack of lies. They just bring a man up here, and they have brung the lowest-down character that can be started up in Spartanburgh district, and has brung men here, and had them swear against me; and now having them drug off to the United States court.

By the CHAIRMAN:

Question. Where were you on the 1st of March?

Answer. I don't remember.

Question. See if you cannot remember?

Answer. I can't recollect.

Question. Do you know a man by the name of Isham McCrary?

Answer. Yes, sir.

Question. Where does he live?

Answer. He lives in Pacolet; about a mile or two miles from me, where I live now.

Question. Did you hear at any time of Isham McCrary being whipped?

Answer. Yes, sir.

Question. Where were you that night?

Answer. Well, sir, I was at Edmund Cooley's.

Question. Where is that?

Answer. He is my father-in-law now. I did not marry his daughter, but married his step-daughter.

Question. What time did you go to his house?

Answer. About sundown.

Question. What time was that?

Answer. I don't know what time it was.

Question. How do you know you were there?

Answer. I know I was there on the night he was whipped; but I can't tell the day of the month.

Question. How soon after he was whipped did you learn it?

Answer. I don't remember; it may have been a day or two; it was something of the sort; I don't remember.

Question. What has called your attention to where you were on that night?

Answer. I was going there; it was before I was married.

Question. What led you to fix the fact that you were at your father-in-law's on the night that Isham McCrary was whipped?

Answer. Because I was there.

Question. What night was he whipped?

Answer. I told you I didn't remember what night he was whipped.

Question. What month was it?

Answer. I don't remember that, even.

Question. Was it April?

Answer. I don't know sir; I never paid any attention. I don't know whether it was April or March, or when it was.

Question. Was it in April or March or February?

Answer. I don't know.

Question. Can't you fix the time within a month?

Answer. I can't tell the month to save my life.

Question. But you know you were at your father-in-law's that night?

Answer. I know I was.

Question. How do you know it?

Answer. Because I was there when he was whippedped; I know I was there.

Question. Do you know the charge has been made against you of being along with the party that whipped Isham McCrary?

Answer. No, sir.

Question. You never heard that?

Answer. No, sir.

Question. You do not know that you are arrested for that now?

Answer. No, sir.

Question. Yet you know that you were at your father-in-law's house on the night he was whipped?

Answer. Yes, sir. He was whipped on Saturday night, the way I heard it.

Question. Have you witnesses to prove that?

Answer. I have the witnesses; I can prove it. I have not got the witnesses here.

Question. Do you know the witnesses who can prove it?

Answer. Yes, sir.

Question. Who are they?

Answer. I was at my father-in-law's—not then my father-in-law, for I was not married then.

Question. Who are the witnesses?

Answer. I can prove it by him or any of his folks.

Question. How far does Isham McCrary live from there?

Answer. I told you a while ago he lived a mile or two miles; we got wheat there.

Question. Were you there the whole night?

Answer. Yes, sir.

Question. What time in the evening did you go?

Answer. I went about sundown.

Question. Did you remain there until the next morning?

Answer. Yes, sir; and ate breakfast there the next morning.

Question. How soon after that was your attention called to the fact that Isham McCrary had been whipped that night?

Answer. I told you I did not remember; it might have been a day or two, or something of that sort; I do not remember now, for I never tried to keep any account about it; for I didn't care about it.

Question. Did you hear of it before you left your father-in-law's?

Answer. No, sir.

Question. Did you hear of it that day that you left there?

Answer. I don't remember.

Question. Where were you when you first did hear of it?

Answer. I don't remember where I was.

Question. Can you recollect, then, how long after he was whipped it was that you heard it?

Answer. I have told you three or four times I can't recollect exactly the time.

Question. Do you know now whether it was three or four days after he was whipped, or a week?

Answer. It was not a week afterwards, I don't think.

Question. When you heard it you heard it on the night that he was whipped?

Answer. He was whipped on a Saturday night, I suppose, the way I heard it. That is the way I heard it.

Question. What Saturday night?

Answer. I don't remember what Saturday night. Do you suppose I would keep an account of everything I have seen and heard, and try to know what day of the month it was, or anything about it?

Question. Do you know what day you were married?

Answer. I don't know what day.

Question. Do you know what month?

Answer. I don't know what month.

Question. And you have only been married since last March?

Answer. I have been married now going on three months pretty strong.

Question. You do not know what month you were married?

Answer. No, sir; I don't. I never paid any attention to it.

Question. You cannot tell now?

Answer. I didn't pay much attention to the month; I have to work, that is what I am in the world for; to attend to my business and work. And now I am called out of my crop for nothing and kept here.

Question. Do you know what McCrary was whipped for?

Answer. No, sir; I don't know anything about what he was whipped for?

Question. When you heard he was whipped was any reason given?

Answer. No, sir.

Question. Who told you he was whipped?

Answer. I don't remember who told me; I know I heard it. I don't remember who told me.

Question. You cannot remember who told you nor where it was, nor when it was?

Answer. I don't remember what day it was, nor what day of the month.

Question. All you know is that he was whipped on Saturday night, and you know on that Saturday night you were at your father-in-law's?

Answer. I know I was there.

Question. Which Saturday night was he said to be whipped on?

Answer. I have told you three or four times I can't tell you; I have told you that a dozen times; you had better ask me again.

Question. And you are prepared with witnesses to prove that you were that night at your father-in-law's?

Answer. I can prove it; by God, I can prove it.

By Mr. STEVENSON:

Question. What time did you go there?

Answer. About sundown.

Question. Who was there?

Answer. There wasn't anybody there but him and his family?

Question. Who were they?

Answer. Him and his own family—Edmund Cooley.

Question. Who is he?

Answer. He was the man of the house.

Question. Who else?

Answer. His wife Emeline.

Question. Who else?

Answer. His daughter Anne Zada; do you want the balance?

Question. Yes.

Answer. Minta, I believe they call her.

Question. Another daughter?

Answer. Yes, sir; Martha Jane.

Question. Is there another daughter?

Answer. Elizabeth; she is quite young.

Question. Any sons?

Answer. He has two sons.

Question. Why did you not mention them?

Answer. I was going to mention them all. I allowed you were putting them down and wanted them mentioned as you put them down. He has a son named John.

Question. How old is he?

Answer. I do not know how old he is exactly; he is somewhere in the teens. I do not know how old.

Question. About how old is he?

Answer. I do not know; he is thirteen or fourteen, or somewhere there?

Question. Or nineteen?

Answer. No, sir.

Question. Fifteen?

Answer. He may be fifteen.

Question. Is he as big as you are?

Answer. He is a tall fellow; he is not as heavy as I am, and not quite as tall.

Question. What is the other son?

Answer. Jeff.

Question. How old is he?

Answer. Eight years old.

Question. You went there about sundown; had they eaten supper?

Answer. No, sir.

Question. Did you take supper there?

Answer. Yes, sir.

Question. What then did you do?

Answer. I went in the house and staid there?

Question. You went to see your sweetheart?

Answer. Yes, sir; I did.

Question. You staid there all night?

Answer. Yes, sir.

Question. You did not go any where?

Answer. I didn't.

Question. Did you and John go out?

Answer. John Cooley?

Question. Yes.

Answer. No, sir.

Question. You did not ride off?

Answer. No, sir.

Question. You did not walk off?

Answer. No, sir; We might have walked out about a little from the house; we might have done so.

Question. Did you do so?

Answer. We might have walked out to do our business, or something of that sort, but not to go to anybody's house outside of the house.

Question. You are sure about that?

Answer. Yes, sir.

Question. What makes you remember that.

Answer. I know I stayed there all night. I never went to anybody else's house.

Question. Whose place was Isham living on?

Answer. He was on Bob McMullen's place. I am not certain whether he is on little Bob's or old Bob's—that is little Bob's daddy—but it is one or the other.

Question. Are there any young men over there?

Answer. Yes, sir.

Question. Who are they?

Answer. They are little Bob McMullen's boys.

Question. Do you know them all?

Answer. Yes, sir.

Question. Are you acquainted with them ?

Answer. Yes, sir ; I see them a good many times ; they are at the mill.

Question. Had you a horse ?

Answer. No, sir.

Question. Where did you come from the day you went to your father-in-law's ?

Answer. From my brother's.

Question. How far off ?

Answer. About three miles.

Question. How did you go ?

Answer. On my feet.

Question. You walked ?

Answer. Yes, sir.

Question. How did you get back ?

Answer. On my feet.

Question. When did you go back ?

Answer. On Sunday.

Question. At what time ?

Answer. I went back after noon awhile.

Question. Where did you get your dinner that day ?

Answer. At Mr. Cooley's.

Question. I thought you said you got your breakfast there and left ?

Answer. No, sir.

Question. You did not say so ?

Answer. No, sir ; I said I ate my breakfast there ; I did not say I left there.

Question. Why did you not say you ate your dinner there ?

Answer. You did not ask me.

Question. I did not ask you about you breakfast either.

Answer. Some of you did.

Question. You say you have heard talk about the Ku-Klux ?

Answer. Yes, sir ; I have.

Question. When did you first hear talk about them ?

Answer. I can't tell that ; I have heard talk about them a good while.

Question. How long ?

Answer. I don't know how long.

Question. A year or two ?

Answer. No, sir.

Question. How long then ?

Answer. Probably nearly a year ; I don't reckon it has been that long either ; I don't know how long exactly.

Question. Who did you first hear talk about them ?

Answer. I can't tell you that.

Question. Who did you ever hear talk about them ?

Answer. I can't tell you that.

Question. You cannot tell anybody you ever heard talk about them ?

Answer. Shall I say anybody ?

Question. Yes, sir ; anybody you ever heard talk about them.

Answer. I don't recollect anybody I have ever heard talk about them.

Question. You cannot remember ?

Answer. I can remember many a one I have heard.

Question. Give the place and name the name.

Answer. What do you want them down for ?

Question. Because I choose to ask the question.

Answer. I have heard both white and black, women and children.

Question. Name some of them ?

Answer. I have heard my father-in-law talk about them. I can't tell you all that I have heard.

Question. You can name some of them ?

Answer. No, I can't.

Question. Your father-in-law is the only man you can name ?

Answer. No ; I could name a good many of them but I am not going to——. I don't see any use nam'ng over all the men I ever heard talk about Ku-Klux.

Question. Did you hear the whole neighborhood talk about the Ku-Klux ?

Answer. Certainly ; aint the Ku-Klux name all over the whole district ?

Question. The name of them ?

Answer. Who ever heard of such a thing ? Aint it ?

Question. I ask you if it is not ?

Answer. I asked you first.

Question. But I am not a witness.

Answer. I am not either, about who I heard talking about them.

Question. Did you say there were Ku-Klux all over this district ?

Answer. No, sir.

Question. Do you say so?

Answer. No, sir.

Question. Do you say there are not?

Answer. I don't.

Question. What do you say about it?

Answer. I don't know anything about it.

Question. What did your father-in-law say about the Ku-Klux?

Answer. I don't remember what he said. I never heard him say anything about it. Only when there would be men about that had been whipped, and he would hear it, and he would be telling me and his folks he had heard where they had been, and that they had been whipping, and that way.

Question. What did he say?

Answer. I don't know what he said.

Question. You do not remember anything he said?

Answer. No, sir; I don't.

Question. Can you tell of anybody else you ever heard speak of them?

Answer. I might sit here and study and tell over a good many; but as to that, I didn't come here for that business.

Question. You did not come here to tell about the Ku-Klux?

Answer. I didn't come here to tell who I heard talk about them and where I heard these things.

Question. You did not?

Answer. No, sir; I didn't come here for that.

Question. Did you ever hear your brother talking about them?

Answer. I have heard my brother name them.

Question. Name who?

Answer. Ku-Klux.

Question. Name who as Ku-Klux?

Answer. Ha! I just heard him talking about Ku-Klux.

Question. What did he say?

Answer. About the same that all the balance said. He would be telling who he heard they had whipped.

Question. What did he tell?

Answer. He just told all who they had whipped, and where they had been, and where—

Question. What places had they been?

Answer. I don't remember all the places.

Question. Do you recollect any of them?

Answer. I recollect of their being at Isham Davis's. Some call him Isham Davis, and some Isham McCrary.

Question. What did he say about that?

Answer. I don't remember particularly what he said about it. I do not remember anything about that at all.

Question. When was he talking about that?

Answer. I don't know.

Question. Where was he talking about it?

Answer. I don't know that either.

Question. Your brother belongs to them, don't he?

Answer. Ha! If he does it is more than I know. Do you want me to swear a lie here this evening, old buck? You can't make me swear a lie like you can pull up these damned niggers. I don't swear lies myself. You can't call me up here like you call a nigger. It is no use to make me swear a lie.

Question. Sit down and be quiet. All I want is for you to tell the truth.

Answer. You are trying to get me to tell lies. I am not going to do it. You are trying to get me in a lie somehow.

Question. How long have you lived in that neighborhood?

Answer. I told you awhile ago I had been about the neighborhood some two or three years; not at one place all the time. I have always been, ever since I was a little chap, always to myself.

Question. Do the negroes give you much trouble up there in that neighborhood?

Answer. About what?

Question. Any way?

Answer. They never trouble me any way.

Question. Do they give the people much trouble?

Answer. I do not know anything about other people; only myself.

Question. Do you hear the people talk about the negroes troubling them?

Answer. I don't.

Question. You never heard any white people say the negroes were giving them trouble?

Answer. No, sir; if I did, I don't remember it.

Question. Have they been afraid of the negroes up there?

Answer. If they have it is more than I know.

Question. Did you ever hear anybody say they were afraid of them?

Answer. No, sir.

Question. Not afraid of the negroes rising on them?

Answer. No, sir; I never heard it.

Question. Was anybody afraid of the negro militia—the militia companies armed with guns?

Answer. No, sir; I never heard them say anything about it at all.

Question. What arrangements did you all have up there to keep the negroes from hurting anybody?

Answer. None at all. If there was any arrangement made it is more than I know.

Question. What arrangements did the negroes have?

Answer. I don't know.

Question. Have you ever worn a disguise?

Answer. No; I am disguised, by God, enough myself, without any more. I am enough disguised.

Question. You never wore any kind of disguise?

Answer. Never.

Question. Do you know what a disguise means?

Answer. No, by God, I don't. I never had anything to do with it.

Question. Did you ever hear of a disguise before?

Answer. I have heard of Ku-Klux going in disguise. I never saw them.

Question. You do not know what disguise means?

Answer. I have heard of their going disguised, or disfigured somehow, but I don't know how; I never saw it.

Question. How do they go?

Answer. I didn't tell you I don't know how, did I?

Question. I ask you the question.

Answer. I didn't tell you just a while ago I didn't know how they went?

Question. I do not remember that you did. If you did, you can say so.

Answer. I think I did.

Question. How were they disguised?

Answer. How many times have I told you I don't know, and I hadn't seen them?

Question. Had you never heard?

Answer. I never inquired anything into it at all.

Question. Did you never hear?

Answer. The Ku-Klux never pestered me, and I never pestered them.

Question. Did you never hear how they were disguised?

Answer. I have heard tell they have got horns.

Question. Who told you so?

Answer. I don't know. I have heard several talk about it.

Question. In the neighborhood?

Answer. O, I don't know; I don't remember.

Question. You cannot name anybody?

Answer. I can't call no certain names.

Question. Were horns all they had?

Answer. I never inquired anything about it. I never heard whether they had anything else or not.

Question. Would horns disguise a man much?

Answer. I never saw it. Put on one and let me see, if you want me to tell you. If you put on one and let me look at you, may be I could tell you something about it. I can't tell.

Question. You swear that you never saw one of those disguises?

Answer. Never, sir.

Question. When was it that your brother did his distilling there? Was it before you were married or since?

Answer. If he did any before or since, it is more than I know.

Question. Did he do it in the day-time or night?

Answer. I do not know anything about it, sir.

Question. What are you making fences around there for?

Answer. Fencing in new ground, sir.

Question. What did he do with his corn that he raised last year?

Answer. He hauled some of it here to this place, and sold it, I think, and eat it and fed his stock out of it, as far as I know.

Question. Did he distil any of it?

Answer. If he did it is more than I know. I don't say he did or didn't; I say I don't know. Who did you bring me here to witness against?

Question. Nobody in particular.

Answer. What are you doing with me here?

Question. We just want to get the statement from you of the facts there in the neighborhood about the Ku-Klux?

Answer. Ha! You have got them.

Question. Yes, a good many. Have you given all you intend to?

Answer. I have given you all that I know. I don't expect to give you any more than I know.

Question. You have given me the names of only two.

Answer. Don't nobody talk about it here?

Question. You are to answer, not to ask questions.

Answer. Well, go on.

By the CHAIRMAN:

Question. You say you know where Isham McCrary lives?

Answer. Yes, sir.

Question. It is about a mile or a mile and a half from your father-in-law's?

Answer. A mile or two miles, I don't know exactly.

Question. Does the road run between there and your father-in-law's; that is, is Isham McCrary's place on the same road that runs past your father-in-law's.

Answer. No, sir; it is on the river, not on the road at all.

Question. Is it cleared land or woods between Isham's and your father-in-law's?

Answer. Some is cleared and some is not.

Question. Was that night when you were at your father-in-law's a dark night or moonlight night?

Answer. I don't remember.

Question. What time did you get to bed that night?

Answer. I don't know exactly what time; may be at midnight, or 1 or 2 o'clock.

Question. You think you may have been up until 1 or 2 o'clock?

Answer. I might.

Question. Have you any recollection of what time you did get to bed?

Answer. No, sir.

Question. Do you know whether you went to bed before 3 or 4 o'clock?

Answer. I went before that time; I don't think I staid up that late. I might have staid up that late, but I don't think so.

Question. Do you think you were not in bed before 1 o'clock?

Answer. I might have been and might not have been.

Question. It is a matter you would be very likely to recollect, because it was shortly before you were married, and you were there to see her. Do you know it was before 1 o'clock?

Answer. I don't know. I generally went to bed when I was there at about 1 or 2. Sometimes 2 and sometimes 1.

Question. Who saw you going to bed?

Answer. I do not know as anybody saw me, only the girl I went up with.

Question. She was the only one went up when you went up to bed?

Answer. Yes, sir.

Question. Had the others all gone to bed before?

Answer. Yes, sir.

Question. What time did you get up in the morning?

Answer. It was before breakfast a while; I do not remember what time it was.

Question. Was it after day?

Answer. Yes, sir.

Question. Sunday morning?

Answer. Yes, sir.

Question. From the time you went to bed until you got up to breakfast, nobody about that house can tell where you were; they only know you went to your bed-room?

Answer. Yes, sir.

Question. She was not in the same room with you?

Answer. No, sir.

Question. I would like you to fix the time that you did go to bed.

Answer. I tell you I don't know.

Question. Was it as late as one?

Answer. I expect it was that late.

Question. It may have been later?

Answer. Yes, sir; and it may have been sooner.

Question. It is between a mile and two miles to Isham McCrary's?

Answer. Yes, sir.

Question. Were you out of that house that night again before you got up to breakfast? After you went to bed and before you got up to breakfast, did you go out of your father-in-law's house at all?

Answer. No, sir; I never got up out of my bed after I went to bed.

Question. Did you use any of Mr. Cooley's horses that night at all?

Answer. No, sir.

Question. Were they all in the stable?

Answer. They were, as far as I know; I never went to the stable to see.

Question. You heard nothing of any disturbance in the neighborhood that night?

Answer. Not that night.

Question. You heard none going on?

Answer. No, sir; I didn't know anything about anything going on.

Question. You heard nothing about Isham being whipped at all until you heard it afterward?

Answer. No, sir.

Question. Remember we are not prosecuting anybody; what is said is not to be given to a jury, or to arrest anybody; but our purpose is generally to see who is guilty. Can you tell us who was the first man that told you about Isham McCrary being whipped?

Answer. No, sir; I told you I couldn't.

Question. You do not remember?

Answer. No, sir.

Question. You cannot mind whether it was a white man or a black man?

Answer. I don't mind whether it was a white man I heard first talk about it, or that it was a black man.

Question. Have you any idea which it was?

Answer. No, sir; I don't remember. I never tried to recollect anything about it. If I had tried I might have recollected it.

By Mr. STEVENSON:

Question. Have you a gun?

Answer. No, sir.

Question. A pistol?

Answer. No, sir.

Question. Have you any kind of arms?

Answer. No, sir.

Question. I do not mean now, but at home?

Answer. No, sir; I do not have any use for arms at all, sir. My business is to work and try to make a living. I am married now, and have not a thing under the sun. I am there at my father-in-law's, and have nothing. I am at work there and board there. I have never had nothing, even to a horse or a house. I am a poor boy and have always been so. I have had to raise myself. My father and mother are both dead.

By Mr. VAN TRUMP:

Question. Are you not, Russell, a very light boy for your age, slightly made? Stand up and let us see how big you are?

Answer. I am a very light man, sir; I am a small man.

SPARTANBURGH, SOUTH CAROLINA, July 8, 1871.

ISHAM MCCRARY (colored) sworn and examined.

By the CHAIRMAN:

Question. Where do you live?

Answer. Up the other side of Pacolet, not far from McMullen's mill; about a mile from it.

Question. How long have you lived there?

Answer. I have lived on the same land I am on now, but not in the same house, for three years.

Question. Were you born in that neighborhood?

Answer. No, sir; I was born and raised in Greenville.

Question. In this State?

Answer. Yes, sir.

Question. What were you doing?

Answer. I was living up there—farming.

Question. Have you rented land?

Answer. Yes, sir; I was on rented land.

Question. Whose land?

Answer. John McMullen's land.

Question. Did the Ku-Klux come to visit you at any time?

Answer. Yes, sir; they came on me in March; but I do not know what day it was. I had been working down on the railroad, and just before I got done I went home, about

the 15th of March. Pay-day was the 15th; anyway, I went home a little before I got done here. It was Saturday night. They picked the time for me to come home.

Question. Go on and tell how they whipped you.

Answer. When they came in they broke down one of the doors, and they broke the hinge off the other one, and four came in the doors at once. It was about 2 o'clock at night, as nigh as I can tell you; and then they came in and shot twice over my head, and said they were going to kill me; that that was what they came for; and then they gathered me, and I asked them to let me put on my breeches. I did not have my breeches buttoned up; I was out of bed. After they got hold of me, I told them I wanted to get my hat if they were going to take me off; it was handy, and I reached and got it. Then they asked me out. After they had shot over my head twice when they asked me out, they told me now to say my prayers, that they were going to kill me. They asked for my arms too. I told them I had no arms. Then they asked me out of the door. I went out. They told me to get down and say my prayers; that they were going to kill me. My wife came out of the door, hallooing to them, and she slipped and fell, and they sort of hallooed. She was about to take her bed; you understand that. Then they commenced whipping me, calling the names by numbers. There was eight of them, as nigh as I could make out, and eight of them whipped me as they called the names. I got to understand the way they called; they called the number that they gave. They gave me twenty-five lashes apiece; four did, and the first that whipped me gave me three lashes after they were done whipping me, to make me take the hickories they had whipped me with down to show them to my friends. All of them whipped me around, and they all done give me the same number. Some give me less; four give me twenty-five apiece, and then the others the way they numbered, as nigh as I could understand it. Two give me the same number, twenty-five apiece; four of them gave me twenty-five apiece, and the first one gave me three licks after he was done whipping me to make me take the stubs that he was whipping me with and show them.

Question. Did they say anything to you?

Answer. Yes, sir; they asked me who I voted for; and said if I told a lie they would shoot me right off. I told them I would not lie; I voted for Mr. Scott. "What did you vote for Scott for?" said he. I told them I did not know how to turn; and if I should tell them another way they would not know but what I was the other way; they would not know whether I turned or not; that I didn't know how to turn. They said, "Scott has turned, and what is the reason you cannot turn?" They said, "How do you like that?" I told them I did not like any such way as that; let a man be what he was; I would not know how to turn any other way; that is what I told them. They dragged me out, as I told you before, and whipped me, and after they done whipped me they told me to take the stubs.

Question. Was this before or after they whipped you that this conversation took place?

Answer. It was before they whipped me that they asked me these questions.

Question. Did they say anything more?

Answer. They just asked me to pray; I don't think there is anything else. I am mighty scattering in telling it.

Question. How many were there of them?

Answer. There were eight or nine; I cannot say exactly.

Question. How were they dressed?

Answer. They had just a common—I thought it was cloth, and I reckon it was; anyhow it was white; some white and some black, and bound around with black; and you could see this far around; you could see back of the eyes. The disguise was so that you could see the disguise over the mouth and eyes.

Question. Could you see the face or the eyes?

Answer. I could see the eyes and part of the face.

Question. How were they dressed below that?

Answer. Some of them had on—it looked like night-gowns; and this Mr. Russell had his coat turned wrong side out.

Question. What Russell?

Answer. Barney Russell.

Question. Did you know him?

Answer. Yes, sir. I knew him by his motion and by his gait, and his beard around here; it just happened so. I was not thinking about anybody; but you see one of my children was made to hold the light and stand right up there, and two or three, I won't say which, but some of them were at the light.

Question. What effect had that holding of the light?

Answer. That was how I came to see him and know him.

Question. Did you say here he was one of those men?

Answer. Yes, sir; he was one of the men. When my wife fell down, the next morning she could not walk, and it was pretty nigh two weeks before she could walk; she could not walk across the house. The reason she come out that night was she was

afraid they were going to kill me with whipping, and she said she would bear part of the whipping of me.

By Mr. VAN TRUMP :

Question. Was your wife sick too ?

Answer. No, sir ; not then ; she was pretty nigh coming to bed. She just got so she could walk about two weeks after she got down.

Question. How did these men come to your house, on foot or on horseback ?

Answer. They came up to the house on foot ; but just a piece over the branch—between there and the river I reckon it was about three hundred yards, and may be five hundred yards—they hitched their horses.

Question. Did you see the horses there ?

Answer. I did not see them. I saw the tracks where they came there.

Question. How far is your house from Mr. Cooley's there in the neighborhood ?

Answer. I reckon it is about a mile or a little over ; I do not reckon it is more than a mile to go the highest way, but to go around it is a little over.

Question. Had you any quarrel with anybody to account for this visit to you ?

Answer. No, sir ; I never had. I did not know that anybody had anything against me in any way, and that is why I was not afraid of them. I had heard they were coming on me for near about two months before that, but I did not know what for.

Question. Had that made you afraid ?

Answer. It never made me so afraid as not to stay ; but I came there on the railroad, and as I would go home they would tell me of it ; that the citizens told them they were coming there on such a night, and I laid out some two or three nights, I think, when I went back ; I laid out so my wife could rest. I hadn't done nothing, and was not guilty of nothing.

Question. After this whipping did you continue to sleep in your house ?

Answer. Yes, sir ; I slept in there until I came off to the railroad. I was not quite done at the railroad. I did not have my month out ; I was aiming to make a crop any how, but they told me when they got done whipping me, that they did not want me to leave that place. I said I did not want to leave neither. I did not expect to leave, because I had done so much work there to get my farm that I hated to leave it. I had about fifteen acres. I have two years on the place ; that is the reason I wanted to stay on the place—to get some benefit of it if I could.

Question. Have you told all about this occurrence that you know ?

Answer. No, sir ; there is some more men that were there that I knew.

Question. Who were they ?

Answer. Miles Mason ; I knew him ; I would not have taken notice of him, but when they went to start—I had staid on his land one year, and been working with him backwards and forwards with him, and staid with him off and on—and when he went to start he spoke this word : [whispering] "Tell Isham when he comes to a white man's house to pull off his hat." He whispered that—that when I came to a white man's house for me to always recollect to put it at the door. Then I happened to recollect him, and was surprised at him being there, when him and me always talked so kind ; but he was after me several times last summer to plow for him, and I told him I could not do it. That was all I could see that he could have anything against me.

Question. Did you know anybody else ?

Answer. Yes, sir,

Question. Who ?

Answer. William Bush ; they call him Billy Bush, but it is the same in a common way. Me and him both lived right together ; there was not a mile between us ; on the same man's land. He married old uncle Bob McMullen's daughter, and we worked the same land together for three years. I knew him, and the way he was fixed, and knew his winter coat that he had over him, and his disguise was not fixed but so I could see his hair right here behind the ears, so that it was kind of turned up ; the disguise was turned up behind his ear, so that I could see his hair ; and his nose was out—he has got a pretty long nose for a slim-faced man, but he has a pretty big body ; and I knew him well enough by that and by his talk ; I knew him by his talk if I had not seen anything.

Question. You have now given Mason, and Russell, and Bush ; who else did you know ?

Answer. I knew another.

Question. Give his name.

Answer. Mr. Gilbert ; Berry Gilbert.

Question. Did you make oath against these men here ?

Answer. I made an oath a while ago against these two ; I come to the truth, I allowed.

Question. Were you sworn before Mr. Poinier about this business ?

Answer. Yes, sir.

Question. How long ago was that ?

Answer. It was Thursday or Wednesday ; it was the first day I come ; that was Wednesday.

By Mr. VAN TRUMP:

Question. What day or night in March was this?

Answer. It was on Saturday night; but to say exactly the night I can't; I can't read, and I never paid any attention to what day in the month it was.

Question. Cannot you tell the day of the month without being able to read?

Answer. Yes, sir, when I take notice of it; but I was in so much trouble I did not know what I could do; it looked like I could not live. I was in a heap more trouble afterwards than before, just studying.

Question. Do not you know what time it was by having your mind under your command before they came there?

Answer. No, sir; but as high as I can tell, it was about the 1st of March.

Question. For what purpose did you use the 15th of March awhile ago?

Answer. You see, I had to come down back to the railroad and stay until the 15th; I did not have my month out, and I told them I had to go back to the railroad, because I did not have my money for it to begin my crop.

Question. What has that got to do with fixing the time when these men called to see you that night?

Answer. They asked me if I was going back to the railroad.

Question. Who asked you?

Answer. These Ku-Klux. I told them yes, I was going back, and I had to work until the 15th of March to get my money.

Question. How came it that you did not tell before that those Ku-Klux asked you whether you were going to work at the railroad again?

Answer. I did speak about the railroad.

Question. You did not speak about the Ku-Klux asking you about it?

Answer. They asked me about that.

Question. Why did not you tell that they said that to you awhile ago?

Answer. It slipped my mind.

Question. When they asked you whether you were going back to the railroad, what did you tell them?

Answer. I told them I owed Mr. McMullen some; and I wanted to raise the money to pay him.

Question. What has that to do with the 15th of March?

Answer. I had something like two or three days to stay to get my month out, and then I had to work a little longer to stay until the 15th of March—I think it was only three days.

Question. How many days had you to work, after the Ku-Klux came, before the 15th of March when you got your pay?

Answer. I think it was four days.

Question. That would make the Ku-Klux visit about the 10th or 11th of March?

Answer. Yes, sir; I reckon so.

Question. Is that the day instead of the 1st of March?

Answer. I tell you it was some time in March. Coming to study about it, I reckoned it was about the 1st of March.

Question. I know you stated it was some time in March, and afterwards said it was the 1st of March; are you now satisfied it was at least so far as the 10th or 11th?

Answer. I think it was about the 1st of March; it was the 1st or 11th of March, as high as I can tell.

Question. Do you say you think it was the 1st or 11th of March?

Answer. It might have been about the 1st of March, but I cannot exactly tell how many days.

Question. You do say you had to work about four days after the Ku-Klux came before the 15th, when you were to have your pay?

Answer. Yes, sir; I think they came Saturday, and I worked that many days, and three days over, I think.

Question. Did you work until the 18th?

Answer. No, sir; until the 15th. It was on Saturday, in March.

Question. Did not you say your time expired on the 15th?

Answer. Yes, sir.

Question. Why did you work three days over?

Answer. I did not get the money, because the money had not come, and I worked three days and then I went home.

Question. Is not your mind so much confused about the expiration of the time on the railroad that you cannot fix the time by that at all? How can you fix it by that fact?

Answer. By its being so many days between that time and the 15th. I think it was about the 1st of March. That is the way I think it.

Question. Why do you think it was the 1st of March?

Answer. The way I went and came. I think it must have been the 1st of March, because I worked down here on the railroad so many days, and it was wet weather all

the time, and I might have missed some days, and it was Saturday night in March. I know it was no piece in March, for March had not begun hardly.

Question. You say your time was up in March, on the 15th?

Answer. Yes, sir.

Question. You say you worked four days after they visited you?

Answer. Yes, sir. I worked my time out, and some days I did not work on account of the rain.

Question. What effect does that have?

Answer. I am telling how many days I worked before I went home.

Question. How does that explain the time the Ku-Klux came?

Answer. That is the way I tried to get the exact time. It was about the 1st of March. I said on the 1st of March, because I knew it was not long in March.

Question. You know it was on a Saturday night?

Answer. Yes, sir; I know that.

Question. And you know it was the 1st of March?

Answer. I believe it was the 1st of March.

Question. How many men came to your house?

Answer. Eight or nine. I said there was eight men, but I never counted them.

Question. Had you heard they were going to visit you before that?

Answer. Yes, sir.

Question. How did you hear that?

Answer. From this Free Tobe McMullen; he is called Free Tobe; he had been free all his life-time. Every time he would meet me when I came up he would tell me what the Ku-Klux said they were going to do to me.

Question. What did he tell you they were going to do?

Answer. He said they were going to raise me before many days.

Question. Was he a black man?

Answer. Yes, sir.

Question. Did he say he belonged to them?

Answer. No, sir; he did not say he belonged to them, but he said what night they were coming.

Question. Coming to you?

Answer. No, sir; he didn't say; he said they were going out such a night.

Question. How did he know?

Answer. I do not know.

Question. Did you ask him?

Answer. I asked him who said so; he said a man told him, but it won't do to talk.

Question. How often did he warn you that the Ku-Klux were going to be after you?

Answer. He warned me twice.

Question. Did he seem to be in earnest about it?

Answer. Yes, sir; he said that they said they were coming to raise me. I asked him what they were going to raise me for. He said he did not know; he said he could not tell what it was, but they were going to do it, so they said. I asked him who said so. He did not say he heard them talking about it, but he said "some men that live not far from you is going to do it."

Question. But he said it would not do to talk about it?

Answer. He said it is close times now, and it will not do to talk about it.

Question. He said he knew they were going to call on you?

Answer. Yes, sir; he said he heard they were coming, but he did not say he knew it.

Question. He did not tell you who told him?

Answer. No, sir; he said that it would not do to talk.

Question. Are there other colored men in the neighborhood?

Answer. Yes, sir; there is another one.

Question. More than one?

Answer. There is one right close to the cabin.

Question. Are they within a mile or two of where you live?

Answer. Not on that side of the river.

Question. On any side of the river?

Answer. Yes, sir; there are several.

Question. You say four of these men gave you twenty-five lashes apiece?

Answer. Yes, sir.

Question. Did you count them?

Answer. You see the first man whipped me, and called the numbers, and then I counted; one man counted them, and then another counted them.

Question. Do you mean that one of the Ku-Klux counted them?

Answer. Yes, sir.

Question. Did he count them out loud?

Answer. Yes, sir; he said, "That is twenty-five, stop."

Question. And then he called another?

Answer. Yes, sir.

Question. And so four gave you twenty-five apiece ?

Answer. Yes, sir.

Question. Making how many altogether ? That made one hundred lashes ?

Answer. Yes, sir.

Question. Did two others give you twenty-five cuts apiece ?

Answer. No, sir, just four ; and then the others they gave me—they whipped me so that, with the others, it made a hundred and fifty.

Question. Right there, after describing their whipping you, you started off without a question being asked after you had replied that there were eight or nine of them, which was the last question asked, and you said this man Russell had his coat turned wrong-side out. Nobody asked you about Mr. Russell ?

Answer. No, sir.

Question. But you stated right out that Russell had his coat wrong-side out, and you said you knew him by his coat and his beard ?

Answer. Yes, sir.

Question. Had he a black beard ?

Answer. No, sir ; a dark beard.

Question. A long beard ?

Answer. No, sir.

Question. A heavy beard ?

Answer. No, sir.

Question. A dark beard ?

Answer. Sort of dark and fine, as if he never had shaved hardly ; he is just like one that has never been shaved hardly. I could see his beard was almost, you might say—well, it was his beard, as nigh as I could see.

Question. What was there in the coat being turned wrong-side out, that you could tell it ?

Answer. The lining of his coat, and the make of his coat, and his size.

Question. Had you ever seen that coat wrong-side out before ?

Answer. Yes, sir.

Question. Where ?

Answer. I did not see it all turned wrong-side out, but I have seen the lining along here ; because I was about him so often.

Question. What kind of lining was it ?

Answer. It was store-cloth ; black and white. I cannot tell exactly the stripe

Question. You do not remember the stripe ?

Answer. Yes, sir, I recollect it, but I cannot explain it.

Question. What color was it ?

Answer. It was a black stripe and then red.

Question. You have seen a good many coats like that, have you not ?

Answer. Yes, sir ; but nobody right close around here had any just like it. I knew him by his features.

Question. What was peculiar about this coat ?

Answer. Nothing more than the lining.

Question. You have seen many other coats lined that way ?

Answer. I have seen lots of coats lined that way since.

Question. You never saw one before like his ?

Answer. I never noticed it before.

Question. You never noticed a coat just like that before that night ?

Answer. Not with that lining. You see, I had seen that lining before, and that made me think of it.

Question. Where had you seen it ? On him ?

Answer. I had seen it on him.

Question. Was that the first coat with that kind of lining you had ever seen ?

Answer. I reckon I had seen others like it.

Question. But you say all you have seen like it were since you saw that coat ?

Answer. He got it out of the store, and I have not seen many like it, because I had not been out much, and had not seen anything like it there.

Question. Do you say it is remarkable that a white young man, twenty-one years of age, should get a coat out of a store ?

Answer. It was not got out of a store, it was a store lining. It was home-made jeans.

Question. Is it anything remarkable that a young fellow should buy a piece of goods like that out of a store ?

Answer. No, sir ; I do not suppose so.

Question. You say it was a jeans coat ?

Answer. Yes, sir.

Question. Are you sure of that ?

Answer. Yes, sir.

Question. What color ?

Answer. Dark; not black, not right black.

Question. Is that the only jeans coat in this country?

Answer. O, no, sir.

Question. It was not because it was a jeans coat that you thought it was Russell?

Answer. No, sir. It was because I saw enough of his face.

Question. How much of his face?

Answer. I could see some around here and here, [the eyes,] and his beard.

Question. Was the top of his head covered?

Answer. Yes, sir.

Question. Was the mask over his eyes and mouth?

Answer. I could see a little under the back part of the jaw.

Question. Did not you in describing his hair a while ago say his hair was turned up behind?

Answer. That was another gentleman.

Question. How were the masks fastened on?

Answer. It looked like it was tied on.

Question. Was it tied under the chin?

Answer. It was tied some way or another under the chin, and there were holes for his nose and everything.

Question. Did his nose come outside of the mask?

Answer. It was so everybody could see it.

Question. You saw there was a hole for his eyes and another for his nose?

Answer. Yes, sir.

Question. How was that?

Answer. It was cut to come across in this way.

Question. Was there a slit for his nose to come out?

Answer. It was cut so that he could have air through it. It was not tied. It came out over his mouth, and by his holding the light I came to notice.

Question. At what particular time was it that you noticed this particular head so as to know it was Russell's head and face?

Answer. I was not thinking about it then to know who it was, but I just happened to know him right then, and I says that's Russell.

Question. You said so?

Answer. Yes, sir.

Question. Who to?

Answer. Just as soon as they quit whipping me I said that was Russell.

Question. Who did you say so to?

Answer. To my wife and children.

Question. You did not say anything to the Ku-Klux about it?

Answer. No, sir; it was after they left.

Question. At what point in the proceedings did you discover that this man was Russell?

Answer. It was when they were talking to me; asking me questions

Question. Russell did not ask you any questions?

Answer. No, sir; Russell did not talk to me.

Question. How far from you was Russell standing?

Answer. He came out when they called the number.

Question. Was Russell one of the four that whipped you?

Answer. There was more than four that whipped me.

Question. How many more?

Answer. As near as I can tell it was eight, and there was one that never came up. That is, I do not think so. I think there was nine of them. I know eight whipped me.

Question. Did you keep the count so accurately as to know that eight men whipped you?

Answer. You see when they gave me this hundred lashes——

Question. This, then, made four?

Answer. Yes, sir.

Question. How many did the other four give you?

Answer. They whipped me in a manner that caused me to take notice of their counting.

Question. They were counting the number of licks, were they not?

Answer. Yes, sir.

Question. They were not counting the number of men?

Answer. No, sir.

Question. How came you to notice that eight out of the nine whipped you?

Answer. Because it was just one hundred and fifty; the way I counted it.

Question. How many did the other four give you apiece?

Answer. I cannot say exactly; but two of them whipped me to make twenty-five.

Question. How did you ascertain that?

Answer. By the way they counted. You see one whipped me on until it got about half.

You see there is a difference in the two whippings; one gave me a little more than the others, a lick more anyhow, it made twenty-five for the two. Then the other two gave me about the same. The way they called it over, I just averaged it myself. I said that is about fifty for the whole four.

Question. To which of the two divisions of four men each did Russell belong?

Answer. The last one.

Question. He gave you twelve or thirteen strokes?

Answer. Yes, sir; somewhere there.

Question. He was not among those who gave you twenty-five apiece?

Answer. No, sir.

Question. Did you look up to see him; how did you know him; in what position were you?

Answer. I was just standing up, and they were facing me; and they would just go behind me; and every time they called the number they would go around.

Question. Were you blindfolded?

Answer. No, sir; I was not blindfolded.

Question. They all stood right behind you, and as some man called out the particular man to whip you he stepped behind?

Answer. Yes, sir; the one that was whipping. They stood far enough so that I could see all around both sides, and there was a narrow place in my yard, and some of them held their guns pointed towards me if I would run.

Question. How long after they commenced did they bring the light?

Answer. They brought the light before they whipped me.

Question. Do you say the light was brought before the whipping began?

Answer. Yes, sir, that was fetched up just as soon as they got in the house.

Question. How long before the whipping commenced was the light brought?

Answer. There were one or two got the light from one of my children.

Question. They had the light in the house, had they not?

Answer. Yes, sir.

Question. Did they take the light when they led you off?

Answer. Yes, sir; they made one of my children stand and hold the light. It was not further from the door than that door is from me, [three or four yards.]

Question. Was it a dark night?

Answer. Yes, sir, not very. It was dark, for they had a light. I am sort of bothered in talking, but I want to be straight, if I can.

Question. Do you know that you are swearing here positively that one of those men that night was Barnet Russell?

Answer. Yes, sir.

Question. You swear to that positively?

Answer. Yes, sir, positively; he was one of them.

Question. Are you just as positive in regard to Mason?

Answer. Yes, sir.

Question. Are you just as sure in regard to Billy Bush?

Answer. Yes, sir.

Question. No mistake about it.

Answer. No, sir, no mistake about it. I do not feel it betwixt me and my heart. I know if I swear a wrong thing it will be against me in the coming day. What I swear here I want to swear right.

Question. Then it is between you and your soul, rather than your heart.

Answer. It is between me and God. God is the manager of it.

Question. You have no hesitation in saying that three of these men were Russell, Mason, and Billy Bush.

Answer. There were four of them I knew.

Question. And Berry Gilbert; are you positive in regard to him also?

Answer. Yes, sir.

Question. Were you sure of it that night?

Answer. Yes, sir. I was sure of it that night.

Question. Particularly sure of this young man Russell?

Answer. Yes, sir.

Question. Did you wake up in your senses next morning?

Answer. I never went to sleep. I could not sleep for the whipping.

Question. Where did you go the next day?

Answer. I went over to the mill.

Question. Champion's mill?

Answer. No, sir. Bob McMullen's mill.

Question. Is he a white man?

Answer. Yes, sir.

Question. Did you tell him about this transaction?

Answer. No, sir; I never told him, but I told a black man that was there; I never saw him.

Question. When did you tell a white man about it?

Answer. I never told a white man about it at all; that is about knowing these men

Question. But about the whipping?

Answer. I told any white man that asked me.

Question. Did a good many ask you?

Answer. They did not ask me that day, but in days or weeks afterward.

Question. Was there not more than one white man in this county who knew it a few days afterward?

Answer. On Monday I came down to the railroad, and no white man had asked me.

Question. When did it become known through the country that you had been whipped by the Ku-Klux?

Answer. I do not know how soon it was known, but I never told nobody; no white man, that I recollect; not before Monday.

Question. But when was it known by white men and black men that you had been whipped by these marauders; was it not within a few days afterward?

Answer. O, yes, sir.

Question. Everybody knew it?

Answer. I do not know whether everybody knew it, but I did not keep it a secret at all; if anybody asked me I told it, but I did not tell anybody that did not ask me.

Question. When did you tell anybody that you knew Russell that night?

Answer. I told my wife so the next morning.

Question. Who else?

Answer. That is all I did tell.

Question. Why did you not tell others?

Answer. Because I heard that if any one told anybody on the Ku-Klux, that they knew any of them, they would kill them right off; and I would not tell anybody.

Question. When did you tell anybody?

Answer. I never told anybody in that settlement.

Question. What other settlement?

Answer. I did not tell it anywhere then that I knew them; hardly anybody knew it; I do not know as anybody knew it, until I explained here the other day.

Question. When?

Answer. Wednesday.

Question. How came you to tell it then, if you were afraid to tell it before that?

Answer. Because I was afraid of its getting out; if I said it was such men I would be killed.

Question. Were you brought up a few days ago; you say you told somebody a few days ago?

Answer. I told that I was whipped.

Question. You said you told the next Monday that you were whipped.

Answer. Yes, sir; I told anybody that asked me, that I was whipped.

Question. But I am asking about your telling as to your knowing any of these particular men; you say you were afraid to tell that you knew any one, fearing that they would kill you.

Answer. I say I would not tell anybody that I knew them, for fear they would betray me.

Question. Did I understand you correctly as saying that you told somebody a few days ago?

Answer. I said, "until a few days;" not who it was. I did not tell that.

Question. Who did you tell?

Answer. Mr. Poinier.

Question. How did you happen to meet him?

Answer. He called me up to give it in.

Question. In where?

Answer. To give in what was done to me.

Question. To give it in where?

Answer. Down here. Down in the room.

Question. Whose room?

Answer. In the post office.

Question. How did he know anything about it.

Answer. Somebody put it in here.

Question. Put what in?

Answer. Put my name there, that I had been whipped.

Question. You know that everybody knew you had been whipped about the 1st of March.

Answer. Yes, sir; but I did not report it to any body about my being whipped.

Question. You did the next Monday morning; and everybody knew you had been whipped.

Answer. I never reported anybody to put it down for me but Ben. Jackson. He is the one that put it down. He got here before I did, and did it.

Question. Did what?

Answer. Told men here that I was whipped.

Question. That was nothing new; did he tell who whipped you?

Answer. No, sir.

Question. How do you know?

Answer. Because he did not know, I reckon.

Question. Up to that time nobody except your wife knew who had whipped you?

Answer. I never told anybody I knew who did it except my wife.

Question. How did Jackson know?

Answer. He only knew to say I was whipped.

Question. When did you tell anybody who whipped you?

Answer. I never told it until here, beside my family.

Question. You say a few days ago you told somebody who had whipped you?

Answer. But not before.

Question. But then you did. Whom did you tell a few days ago the names of these four or five men that you recognized?

Answer. I did not tell anybody.

Question. Is this the first time you have told anybody in the world, except your wife, the names of these four or five men?

Answer. I never told no white folks, so that they would get them. I have told some that I thought were my friends about it; but they will keep it.

Question. Told them what?

Answer. Told them I knew who whipped me.

Question. I thought you said a while ago that you never had told a human being except your wife who these men were?

Answer. I was speaking about white men; I wanted to keep it secret from white men.

Question. I was speaking about white men and black men. You have said repeatedly that you never told it to any man until within a few days.

Answer. It has not been long since I did tell them.

Question. Who were these friends that you told that you thought would keep it?

Answer. Uncle Harry Lipscomb. I told him about it.

Question. When did you tell him; directly after it occurred?

Answer. No, sir.

Question. How long afterward?

Answer. It was two months, or a month, or more—over a month.

Question. You think it was about a month after it occurred before you told Lipscomb? Was that the first time that you saw Lipscomb after the Ku-Klux had visited you?

Answer. Yes, sir; the first time I ever got acquainted with him.

Question. How did you know he was such a good friend?

Answer. He said he had been whipped, too.

Question. You then told him about a month after you were whipped who four or five of the men were who whipped you?

Answer. He told me he was whipped; but I never would tell until I told him.

Question. Who else did you tell beside Lipscomb?

Answer. There is nobody I know of I told. To tell the truth, I told him, finally, who whipped me. I think he was all the man I told.

Question. When did you first get the thought in your head that you would prosecute those men for being there that night?

Answer. I was not thinking about prosecuting them.

Question. When did it first enter your mind to prosecute these four or five men for being in that band of Ku-Klux that night who whipped you?

Answer. I did not think about prosecuting them at all.

Question. Who did?

Answer. I did not think it was right.

Question. It would have been very right for you to have prosecuted them the first moment you had the chance.

Answer. This here was the only chance I got here.

Question. That never entered your mind; whose mind did it first enter into?

Answer. I have thought it was right that they should be, but I did not see any ground that it could be done, and I thought it would go away like a heap of other things have gone, and nothing would be said about it.

Question. When did you first hear that they would be prosecuted?

Answer. I heard it talked about a little, but I can't say exactly when.

Question. How long ago?

Answer. I cannot tell exactly how long since I heard it.

Question. When were you first sent for to come to town to swear to it?

Answer. Tuesday.

Question. Who came for you?

Answer. The Yankees came. The Yankees came to our house.

Question. Who are the Yankees?

Answer. We call them Yankees.

Question. Who are they?

Answer. These men out here. They came up to the still-house there, and said Uncle Harry Lipscomb to tell me to come to Spartanburgh.

Question. Who are the Yankees?

Answer. I mean them men out here in camp.

Question. Do you mean the soldiers?

Answer. Yes, sir; we always call them that way.

Question. Do you know who sent the soldiers?

Answer. No, sir; I thought some men had sent them.

Question. Tell me why it was, that although this outrage was committed upon you about the 1st of March, and you knew the names of four or five of those who did it, and had told several persons, still the prosecution has been postponed until this particular time, when this congressional committee is to visit Spartanburgh; can you explain why this thing has been allowed to lie since the 1st of March?

Answer. I thought it had to lie, because my life would be taken if I had told.

Question. I am not asking why you did nothing; but do you know why this thing was postponed until now?

Answer. No, sir, I don't know; unless it was because the men that are doing the business now did not get into the light of it until this time.

Question. Whom did you go to see when you came to town—when these Yankees left word that you must come to town?

Answer. I came to see whoever was holding the committee.

Question. What committee?

Answer. This here.

Question. This committee at this table?

Answer. I thought it would be likely a court.

Question. Then you seem to have understood that the word the Yankees left with Lipscomb was for you to come before this committee and swear here?

Answer. Yes, sir.

Question. But have you not sworn somewhere else, before you came here?

Answer. They called me in there; but I didn't know but what that was the place.

Question. You say "there." [Pointing out of the window.] Where do you mean?

Answer. I mean the post office down there.

Question. Where is Mr. Poinier's office?

Answer. I don't know where it is.

Question. I want to distinguish between the time when you came here to swear against these young men, and the time you came here to swear before us as a committee. When did you come to make oath in order to have these young men arrested?

Answer. It was Wednesday.

Question. Are you sure it was Wednesday?

Answer. Yes, sir.

Question. Who told you to come then for that purpose?

Answer. Uncle Harry Lipscomb told me it was necessary to come. They had sent him; and they said they were going to take me right on then.

Question. Did you understand that Lipscomb, having received word from the Yankees, left word for you to come to swear before Mr. Poinier, and before us also?

Answer. I do not know who it was. Tuesday they came.

Question. You have been here since?

Answer. Yes, sir.

By Mr. STEVENSON:

Question. What did Uncle Harry Lipscomb tell you?

Answer. He just told me we all had got to come down to town that had been abused by the Ku-Klux, to explain ourselves.

By Mr. VAN TRUMP:

Question. Was anything said about how much money you would get for it?

Answer. No, sir; I never heard about that.

Question. Was there something said to you about two dollars a day and mileage?

Answer. I do not know as Uncle Harry said a word about it to me. Before we got down here I heard that they got two dollars a day here; and I heard a dollar and a half; and I heard two dollars and a half.

Question. Was it talked pretty generally among the colored people out there that all colored people who came here and swore would get two dollars a day and mileage?

Answer. No, sir.

Question. You have come here and have not been back since; did you swear before anybody else before you swore here, since you have been here?

Answer. I did not hold up my hand to swear; he wanted to know who I knew, and asked me could I swear; I told him this, I could swear.

Question. What was done then?

Answer. I said that these were the men.

Question. Who asked you that question?

Answer. Mr. Poinier.

Question. He asked you whether you could come before us and swear that those were the men?

Answer. Yes, sir.

Question. And you said "yes?"

Answer. I told him I could.

Question. How many men did he name that you could swear to?

Answer. Four.

Question. I still cannot get at what I want, which, I suppose, is a fact. How often have you sworn in town here? Were you not sworn before somebody else before you were sworn here to-day?

Answer. On this here?

Question. Yes; about this Ku-Klux visit to you; have you not sworn that these four or five persons were among the men that abused you on that night?

Answer. No, sir; not as I can recollect.

Question. Then how were these men arrested?

Answer. I just said what I told you. I did not have the Bible, but I told them I could swear to them.

Question. Did they write down anything you said?

Answer. Yes, sir.

Question. Did you sign it?

Answer. No, sir.

Question. Did you make a mark to it?

Answer. No, sir.

Question. But they had paper and were writing?

Answer. Yes, sir.

Question. And wrote it down?

Answer. I think Mr. Poinier wrote it down.

Question. Was he writing on paper partly printed and partly white?

Answer. I do not know whether he was or not, exactly. I never noticed.

Question. Did he read to you what he wrote?

Answer. No, sir; he never read it out after I stated it.

Question. Did he ask you whether you were willing to swear to what was written down, and what you were telling him?

Answer. Yes, sir.

Question. And you told him you could?

Answer. Yes, sir,

Question. But you did not swear?

Answer. That is all I did, to say swear; I said I could do it.

Question. Did they make you hold up your hand and swear?

Answer. I do not remember now of holding up my hand.

Question. Did not they make you hold up your hand and put the question, "whether you would swear by Almighty God that what you were saying was true?"

Answer. I do not think they did.

Question. You did not kiss the book?

Answer. No, sir.

Question. You did make a statement which Mr. Poinier set down in writing?

Answer. I think it was him.

Question. What did he say he was going to do with it?

Answer. He did not say what.

Question. Did not they talk to you about sending for these young men?

Answer. He did not say when he was going to send.

Question. Did he say he was going to send?

Answer. He said they were going to have them taken up. He did not say when he was going to send.

Question. How came you to know Miles Mason?

Answer. I knew him right well.

Question. How?

Answer. I knew him; you see I catched his voice so good; and I looked at him when he started off.

Question. Had he a strange voice that you could tell it?

Answer. It is not so strange, but I have heard him talk so much that I caught it when he said, "tell him to pull off his hat."

Question. Then he was just whispering to you?

Answer. He was right close to me.

Question. The way in which you tried to represent it to Senator Scott a while ago,

was that he whispered, "If you come to a white man's house to take off your hat." You repeated it, whispering the words yourself. Was that the way?

Answer. No, sir.

Question. What did you whisper it for?

Answer. I couldn't think. He just told me to come to a white man's house; or told him, "Tell him, when he comes to a white man's house, to take off his hat."

Question. Did you not make a motion to show how Mason told you these words; put your head up as if to another, and whisper?

Answer. No, sir. It was to the other man, that did the talking, that he did that.

Question. To what other man?

Answer. That one who was talking. That was the one Mason talked to.

Question. Who said to you, "Take off your hat when you come into a white man's house?"

Answer. No, sir; he did not say it to me; he said it to a man; I didn't know that man.

Question. He whispered to him?

Answer. Yes, sir; I just caught his voice.

Question. How could you tell his voice in a whisper?

Answer. It was so I could hear it to catch it.

Question. Did he do it in about the way in which you did it when you were answering Senator Scott?

Answer. He did it to the white man.

Question. Did he do it as you did it a while ago?

Answer. That is the way; he motioned to the other man.

Question. You say you knew his voice when he spoke the words?

Answer. Yes, sir.

Question. Now, the way in which he said these words was in a whisper, was it not?

Answer. He talked low; I called it whispering—that is, talking low.

Question. Did he do it just as you attempted to do it a while ago in describing it?

Answer. He just turned his head close to him.

Question. Did he do it in the way in which you attempted to show it a while ago?

Answer. The way I was trying to do; just talking low.

Question. Was that the way he did?

Answer. Yes, sir.

Question. In that kind of a whisper you recognized the voice of Miles Mason?

Answer. Yes, sir.

Question. How did you know Billy Bush?

Answer. I knew him by the way I saw part of his hair and his face, and I knew his talk and his movement—that is, in his motions.

Question. You are satisfied you knew him?

Answer. I knew him just the same as my brother.

Question. You saw his hair behind his ears where his disguise was turned up?

Answer. It was at the side his hair was out.

Question. What sort of hair had he?

Answer. Pretty nigh black hair.

Question. You think it was Billy Bush because it was black hair?

Answer. It was by the shape of his face.

Question. Had not he a mask and disguise on?

Answer. Yes, sir.

Question. What sort of one?

Answer. A white one.

Question. All over his face?

Answer. No, sir.

Question. How much of his face?

Answer. Part of it showed along his eyes and all the holes.

Question. Was it tied under his chin?

Answer. Yes, sir.

Question. And over his forehead?

Answer. I don't remember of its being tied.

Question. Did you see any part of his face except through the holes for the eyes and mouth?

Answer. No, sir; only back here I saw his hair.

Question. Is that all of his face that you saw?

Answer. I saw his face betwixt the holes and his mouth.

Question. What particular expression was on the face where the holes were that you could tell him? Had he a wart just at that hole?

Answer. No, sir; he hadn't a wart.

Question. What made you think it was Billy Bush?

Answer. I could see enough by the light to satisfy me it was him. I was satisfied it was Billy Bush.

Question. How did you know Berry Gilbert?

Answer. He sort of grinned, and let his mouth open pretty nigh across him. He is a tall, slim fellow. He tried to alter his voice, but he could not do it enough but what anybody could tell it, and by that I knew him; but I was not thinking about noticing to know these men.

Question. You have no doubt that these five men were there.

Answer. Yes, sir; I have no doubt about it. I would be willing to be put to death on it, knowing it was them men.

Question. Why did not you complain against them directly after the 1st of March?

Answer. I was afraid to do it.

Question. Why are you not afraid now? Do you think these men have got any better? Are they not as much ruffians as then?

Answer. I knew I couldn't get any protection then.

Question. Who will protect you now?

Answer. It looks like here was the place; they told me to come here.

Question. Who promised to protect you if you would swear to this?

Answer. I allowed that these men would protect me.

Question. Who promised to protect you?

Answer. The Government.

Question. The Government cannot promise; some person may promise for it. Who did it? Who made the promise that if you would come and swear—

Answer. I took my oath to hold by the United States.

Question. When did you take an oath to support the United States?

Answer. To support it and the radical principles in any difficulty or any thing; to be just and true to it; and this is what I was trying to do; and I thought that there was a chance for it now, for me to explain myself with these gentlemen.

Question. You have come here to-day to swear, and charge these men with this crime, because you had sworn, some long time ago, that you would support the radical cause. Is that it?

Answer. Yes, sir. I was aiming to stand up to them, and I thought if the other radical men could not stand up to me I could not stand myself. If I did not come to them that they would not protect me.

Question. Is it because you took this oath to protect radical men and measures that you come here to-day to swear that these are the men?

Answer. No, sir; it was because I thought may be there was a chance for me to get what was justice, what was right.

Question. You did not think of that before.

Answer. Yes, sir; but I did not know of any way to get into it or have anything done.

Question. Did not you know you could have these men arrested on the 1st of March if you came in and swore to it?

Answer. No, sir.

Question. Why not?

Answer. I did not know it.

Question. How do you know it now?

Answer. I thought it was better now because they had their backers, and there was such confusion in the country that I thought I had better keep still.

SPARTANBURGH, SOUTH CAROLINA, July 10, 1871.

TENCH BLACKWELL sworn and examined.

By the CHAIRMAN:

Question. Where do you live?

Answer. I live near Cowpens' battle ground, in this county.

Question. What is your business?

Answer. My occupation is farming.

Question. How long have you lived there?

Answer. I have lived there or near there for fifteen or sixteen years.

Question. Are you a native of this State?

Answer. I am a native of North Carolina. I was born right on the line.

Question. Were you a manager of elections at the last general election?

Answer. Yes, sir.

Question. Go on and state if there were armed men appeared at the time of your holding that election; and if so, what they said?

Answer. There was an armed party appeared there. I was very busy. There were two or three election-boxes thrown together—at least there were one or two others where they did not hold the election. I was very busy, and there are some things that I don't recollect. There was an armed party came up to the box.

Question. How many were they?

Answer. I do not know. There were only six or seven probably with guns or repeaters belted around them. Some had double-barrel guns and other pieces.

Question. What did they say or do?

Answer. Captain Lyle came up with these men. I think he came with them; I am not positive about it, but they were from down his country. He was standing around the box proclaiming this to be a white man's Government and that they were going to have it and that they would. I think he rather threatened them with a war of races around the box, and that they would first take the white leaders and then the colored; that this was a white man's Government, and they intended to have it, and a great deal of other chat, but I was very busy.

Question. Who is Captain Lyle? I understood you to call him captain.

Answer. We always call him Captain Lyle, but I can't tell you his given name.

By Mr. VAN TRUMP:

Question. Does he go by the name of Mr. or Captain?

Answer. Captain Lyle.

By the CHAIRMAN:

Question. Where does he live?

Answer. He lives at Limestone. He is a member of the legislature, I suppose, from this county.

Question. Do you know that he is?

Answer. Yes, sir; he went. He is a member of the legislature?

Question. Was this done in such a manner as to interfere with your holding the election or intimidating the voters?

Answer. I think it was.

Question. Had it that effect?

Answer. I can't swear positively to any man being interrupted, but I heard them say they had not voted, and they would have voted if they had not been intimidated. I was afraid, but I did vote. I did not vote until toward the last one—when the armed men had left. I looked for them to be back. I did not stay at home. I left.

Question. Was this appearance of these men at your election an unusual or a common thing?

Answer. It is just a common thing, sir.

Question. State whether any threats have been made to you personally; and if so, by whom and at what time?

Answer. There has been advisory language to me to get out of the republican party; that I would be slaughtered up, and so on like that—more advisory than a threat.

Question. In what form did that come?

Answer. It came as from a friend; that I had better get out of the party and have nothing to do with it and not vote republican at all; that it was only the way negroes voted, and that if I did not I would finally be blotted out. That has been done by different persons. I don't know any particular person to put that charge to.

Question. Has your house been visited by armed or masked men?

Answer. Yes, sir; the night of the 30th of December, 1870. It was visited by them—they said three hundred, but I don't suppose there was so many, but there was a great many.

Question. Where were you?

Answer. I was in the woods, skulking about. I heard them, and they were seen, and their signs were left and all. I was close enough to hear them, and the doors bursting, and all this kind of things.

Question. For what reason were you to be visited?

Answer. I learned it was because I was a republican.

Question. How did you learn it?

Answer. From friends, in talking about it.

Question. Were any notices left with you?

Answer. No notices were left at my house at all. I was told by a man who pretended to be my friend that he had been chatting with another, and that he wanted him to drop me a notice to resign—I was holding the trial justice's position—and for me to resign forthwith. He said he had agreed to do it, but had not done it; he agreed to drop this notice to me, but he had never dropped the notice.

Question. Did he say he was threatened for it?

Answer. No, sir; he said this man told him to drop me this notice and that I would be visited, and all this kind of things, if I did not resign my office.

Question. Who told you that?

Answer. This Tom Davis that is in jail said Mr. J. H. Ezell had told him to drop me the notice. These others were to write the notice, and he was to drop it at my house.

Question. How long was that before the 30th of December that you were told this?

Answer. I do not remember, but the news kept coming. I could hear of their whipping and thrashing below, and the news would be that the Ku-Klux will be on you to-

night—the Ku-Klux will be on you. There was one gentleman I saw before this happened, by the name of David Cudd, if you must have the names; he came to me. I was about half a mile from him—he was coming toward my house—me and the constable acting under me. He was drinking a little, but not to be out of the way. He said he had just come down to let me know the Ku-Klux would be down on me to-night or to-morrow night, or the next night, and I could find refuge in his house; that he would shelter me, and he would not let anybody know it, and I was not to let anybody know it. That was the understanding; that I was not to let anybody know he had sheltered me.

Question. Was this another reason you have for believing it?

Answer. Yes, sir.

Question. What is the state of apprehension in your community as to being visited by these armed and masked men?

Answer. I don't know hardly how to answer your question.

Question. Is there an apprehension felt by the colored people or the white republicans that they will be visited by these men?

Answer. Certainly; of course.

Question. What grounds have you for your apprehensions?

Answer. We have all the ground on earth, for they visit everybody, and there are threats throughout the country now.

Question. Do you feel secure in your house now at night?

Answer. I don't stay in at night.

Question. How long have you been staying out at night?

Answer. Ever since the election, I have not staid at it of any consequence. I staid with an old friend near there for some time after this occurred. They paid me two visits.

Question. When was the other visit?

Answer. I have not got the date of the visit, but I think it was the 29th of April last past. I am not positive about that. I was staying within a quarter of a mile of home. I did not think I had any neighbors at that time around there who would go into such a thing. They visited my house and found me not at home. My family was there. They called for me. My family told them I had denounced the party. I did it here. My friends came to me and told me to denounce the party, and I would be at liberty and let alone.

Question. Denounced what party?

Answer. Denounced the republican party, and put it in the paper. I did so, but I was uneasy about staying at home.

Question. Do you mean after this advice you renounced your party publicly in the Spartanburgh paper?

Answer. Yes, sir; after the first visit I denounced the party in the Spartanburgh paper and told my family I was only scared into it.

Question. What influenced you to that renunciation?

Answer. I was afraid for my life.

Question. To what extent has that thing been carried?

Answer. Just as far as a thing could be in a few of these counties around about here.

Question. But I mean this matter of renunciation of party in the newspapers?

Answer. Right smartly.

Question. Have there been many such cards published in the newspapers?

Answer. Yes, sir; a lot of them.

Question. Have you anything else to say as affecting the condition of society in your neighborhood and the security of persons and property?

Answer. I do not know that I have. I did not finish telling you of the last visit, but I do not know that it is necessary.

Question. Go on and tell what you know about it.

Answer. After they paid the visit to my house they came back to Ezell's, about a quarter of a mile from where I live. They went back there, and by some means they took the Spartanburgh road and took a by-path, and comes to this old man's where I was at. I heard them while they were at Ezell's snorting and talking on like a pack of drunken men, and I put on my boots and stepped out without letting anybody know where I was. They struck off toward Spartanburgh, and from there they took this path, and come on pretty easy until they got within forty yards, or something like that. Then they commenced slapping bars together or doing something to make a loud noise, and went up and bursted the doors open and called for me. They told them I was there in bed; but when they came to examine I was not in bed. I had got up and gone out. This was at Scruggs' where they attacked me in this way the last time.

Question. Go on.

Answer. They charged around the house everywhere. The cover was lying on the bed. They aimed to pull me out of the bed. They said, "Pull him out"—but I am too fast in my story. When the young man told them I was in the bed, the other halloed, "Drag him out:" but when the cover was rolled back he halloed that I

was not there. Some one said shoot there, and if he was there he would kick. They searched the kitchen and everywhere. They called the roll. They accused me of being in the crowd disguised. I heard them calling the roll. They concluded I was there in the crowd disguised, for I had got away so slick; but they finally broke away, and I saw them leave at day. They struck out to my brother's, and when they got down there they got up a terrible row and come back up the same road that I was near, passing, but I could not tell any one of them. I could only hear the voices, but it was just to hear them.

Question. Could you identify them in any other way than by their voices?

Answer. No, sir; only by voices. They were said to be in disguise. I could not say certainly whether they were all disguised. It was just getting day, and I was forty or fifty steps off and I could not tell.

Question. They could not find you?

Answer. No, sir.

Question. They did you no injury?

Answer. No, sir; only they broke up my stove and pretty much everything in the house.

Question. How many were there?

Answer. My wife said there were only fifteen or twenty, but they said they were one hundred.

Question. Who said this?

Answer. These men said they were three hundred. Mr. Scruggs said there were only one hundred. My wife said there was only fifteen or twenty.

Question. How far is Scruggs' from your house?

Answer. About a quarter of a mile.

By Mr. STEVENSON:

Question. You said they called the roll; how did they call the roll?

Answer. I am not positive about calling the roll. It is just what they say. They said they called them by numbers. I have heard that they called number ten.

By Mr. VAN TRUMP:

Question. Who said they called them by numbers?

Answer. Mr. Scruggs's folks at the house where I had been staying.

By Mr. STEVENSON:

Question. Who is Mr. Ezell?

Answer. A gentleman living on Cowpens Battle Ground. He has been living there for years.

Question. Farming?

Answer. Yes, sir; and a sort of miller. He carries on a small farm.

Question. Is he a land-owner?

Answer. Yes, sir.

Question. Who is David Cudd?

Answer. He is a farmer, living above the Battle Ground some four miles

Question. Is he a land-owner?

Answer. Yes, sir.

Question. Who is Mr. Davis?

Answer. Tom Davis—he lives in above where I do, near Island Ford.

Question. Island Ford is in North Carolina?

Answer. I know it is, but the line is near there; we might say Cagtown, where he lives. It is in this county.

Question. What is his business?

Answer. Drinking whisky and rowdying and riding about, and frolicking and cursing and shooting on the Sabbath, and going up and down the road. I don't think he works much.

Question. Does he own any property?

Answer. No, sir; I don't think he does.

Question. Was the election you spoke of the last election?

Answer. It was the last general election—it was last fall.

Question. Was Captain Lyle a candidate for the legislature at that time?

Answer. Yes, sir.

Question. You say there were about six men in his party armed with guns?

Answer. I think there were; I am not positive.

By Mr. VAN TRUMP:

Question. Guns and pistols?

Answer. No, sir; there were more with pistols.

By Mr. STEVENSON:

Question. How many were armed with guns or pistols?

Answer. I do not know. I know a great many, and I know some were of his crowd, from his vicinity, and others were armed that I did not know.

Question. But I mean of his party, whether from his vicinity or not?

Answer. That I cannot tell you. Some five or six I knew from down in there with guns, and one or two with repeaters that I saw that I did not know, as they were strangers. The people say they were all from that country, but I do not know it positively.

Question. How many in all had guns or pistols?

Answer. A good many. I have not much guess, because the most of them from there had pistols or guns. I have not much guess at that thing, being that I was very busy, and I hadn't much chance to examine.

Question. Were there twenty or thirty?

Answer. Yes, sir; there twenty-five at least; I would not go over that, but I expect it was more.

Question. Were the arms brandished and out?

Answer. Yes, sir; I saw some outside of their coats, but those that were under you could see.

Question. I did not understand whether you said that was general or unusual at elections?

Answer. It is unusual for elections; some men carry a repeater.

By Mr. VAN TRUMP:

Question. Is not the state of feeling in this country just now, and has it not been as far back as the last election, such, between the white and the black people, that both sides are in the habit of carrying arms more or less?

Answer. Well, yes; I think both sides carry arms; but now I do not see many black armed fellows, or many republicans armed. I don't carry arms myself.

Question. You say Captain Lyle came up with this armed band?

Answer. I did not say so. I do not know that they came from his vicinity.

Question. Did they approach the poll with him?

Answer. Yes, sir; they were around him.

Question. Was he there before they came on?

Answer. They were about coming together.

Question. When you first saw the armed men and Captain Lyle were they together?

Answer. I think they were.

Question. Did he seem to lead them?

Answer. They seemed to listen to everything he said.

Question. Did they seem to be in a band together?

Answer. I think so.

Question. Did you see them when they came to the ground?

Answer. I did not see them when they first came up. I saw them in his chat. When a republican would go up to vote they would jerk their repeater strap, and look as if they were whipping somebody, looking at the man who was voting.

Question. Did that occur with every voter?

Answer. I did not see that but one time, but others spoke of it; I was busy.

Question. Did you say a moment ago that when a republican came up they would pull out a pistol and wave it in the manner of beating a person?

Answer. No, sir; I did not say that I did. I did not see any repeater pulled out at all.

Question. You saw but one instance of a man waving his pistol at all?

Answer. It was not his pistol; it was his belt.

Question. Did he take it off?

Answer. He had it in his hand. I do not know how he took hold of it.

Question. Did you see any others?

Answer. No, sir; I heard talking. I did not see any belt being drawn out positively.

Question. Did any one else see it?

Answer. No, sir.

Question. Why did you say it was done?

Answer. It was talked over in the crowd that these men came there for intimidation—to hinder republicans from voting.

Question. But I speak of this brandishing of belts.

Answer. I just saw these men. They all seemed to condescend to the same thing.

Question. What do you mean by "condescend?"

Answer. They all seemed to laugh and to be pleased. They were particularly pleased at Mr. Lyle's chat.

Question. What pleased them with this fellow?

Answer. I do not know.

Question. Was there any collision with anybody that day?

Answer. No, sir; no trouble and no fuss at all.

Question. Do you not know from report and observation that the election in this

county last year was one of the most quiet elections that has occurred in South Carolina for years?

Answer. There was no fuss. The fuss didn't get commenced at all at that poll, as I heard.

Question. What did you say Captain Lyle said?

Answer. He said this should be a white man's government.

Question. Was that all he said?

Answer. He said, "I would have you to know this is a white man's government;" and he threatened them with a war of races, and said, "We are going to take the white leaders first, and then we will take the negro."

Question. What caused him to make that speech on that day?

Answer. I can't tell.

Question. At what time did he make it?

Answer. In the fore part of the day, and pretty early, as I recollect.

Question. Did that speech occur when he first came up to the voting place that day?

Answer. I don't remember. I think he had been there some time.

Question. What gave rise to it; where were you when he made that declaration?

Answer. I was sitting there attending to the box.

Question. You were an election manager?

Answer. Yes, sir.

Question. Inside of the house?

Answer. No, sir; out of doors, under shelter.

Question. How near was Captain Lyle to you when he said that?

Answer. As close as you are to me—two yards.

Question. Had he voted then?

Answer. I don't remember.

Question. You say he threatened a war of races?

Answer. Yes, sir.

Question. And threatened the white leaders; did he mean the republican white men?

Answer. Yes, sir.

Question. Did he say they would have to come first, and then the negroes?

Answer. Yes, sir.

Question. Did anybody reply to him?

Answer. No, sir.

Question. Did he say that more than once that day?

Answer. I don't remember. He was talking pretty smartly all day. He was challenging negroes and so on, but he didn't hinder any man from voting. He said he was willing for them to vote.

Question. What kind of a man is he—is he a quiet, good citizen?

Answer. I do not know but very little about him.

Question. How far does he live from you?

Answer. Fifteen or sixteen miles.

Question. Is that his poll?

Answer. No, sir; but the managers had been whipped out down there, and they had to come up to vote.

Question. Who did that?

Answer. The Ku-Klux.

Question. That was your information?

Answer. I did not see the men whipped, but I saw them after they had been whipped.

Question. And white and black people from that place came there to vote?

Answer. Yes, sir.

Question. And Lyle was there to vote with all the rest?

Answer. Yes, sir; it was not his box. He came over to his own box first, and there was no box, and then came on.

Question. How many that came there to vote did not vote?

Answer. I cannot tell that of my own knowledge. I have heard men say that they saw forty negroes there that went away without voting. There were two there, and I heard one of them say that he did not vote because he was afraid; he also made oath to this; the other went away too, but he did not tell me that was the cause.

Question. You say Captain Lyle did not interfere with anybody, but said he was in favor of their voting?

Answer. Yes. He said, come up all that were lawful voters, but he challenged them, but I did not think that was out of the way.

Question. Did he appear to challenge with an honest purpose to see whether the man was entitled to vote?

Answer. He seemed to.

Question. You say it is reported now that forty negroes went off intimidated?

Answer. Yes, sir; that was the crowd that came only to the forks of the road, one or two hundred yards from the house, and staid a while and found out the condition of things and went back. That is the report.

Question. You did not hear it yourself?

Answer. I heard it sworn to. I only suppose it is so. I did not see it.

Question. What kept them away; they didn't hear Lyle's speech?

Answer. No, sir; but the managers had been whipped out a night or two before, and this armed crowd was there, and they were afraid. I have no doubt they were afraid, though I don't know positively.

Question. When you speak of the managers being whipped out, you mean the place where Champion lives?

Answer. Yes, sir; that was the precinct where they should have gone.

Question. These forty negroes, before they had left home, had known the fact that these managers had been whipped out, had they not?

Answer. I suppose so; a good many came to the box where Mr. Champion was whipped, and they came on.

Question. But I am speaking of these forty?

Answer. I don't know where they came from.

Question. According to your statement and belief, they must have known of the whipping of these managers at Champion's, and yet forty negroes came within two or three hundred yards of your poll, and because the managers at Champion's had been whipped out they went back?

Answer. I don't know that that was the cause. If I looked at the thing right, it was because this armed crowd was there; perhaps these negroes might have lived in some other part of the county.

Question. I ask you what is the common report?

Answer. I have given you what I know. I did not see them.

Question. You say it was reported that forty negroes came within two or three hundred yards of the poll and went back?

Answer. Yes, sir; that was reported.

Question. You gave that as a reason why they went back—because the managers had been whipped at Champion's?

Answer. Yes, sir; and this armed crowd was there.

Question. You say you had been advised rather than threatened to leave the republican party?

Answer. Yes, sir; I have had friends to come—

Question. Who are they?

Answer. Old Mr. Scruggs is a democrat, I believe; he is a good fellow, too. He has said he believed it was best for me to denounce the republican party and have nothing to do with voting with them.

Question. What was his first name?

Answer. William Scruggs.

Question. Why did he say it was best?

Answer. He said because we were making ourselves equal to the negro. He said the negro must be shipped out.

Question. He thought the democratic principle would be better than the republican principle?

Answer. Yes, sir; that was his notion; he believed it.

Question. And did not advise you upon any other ground?

Answer. No, sir.

Question. Who else advised you?

Answer. I do not know who all; but it has been a general thing that it was better to be with the democratic party than with the negroes. With a great many it has been that way.

Question. What threat was there in that?

Answer. There was no threat, but the threat came in a different way.

Question. How was that?

Answer. Cudd had heard something, of course. They could know, and I did not, the danger I was in.

Question. What did Cudd advise you?

Answer. He advised me that I was going to get a whipping to-night or to-morrow night, or the next night.

Question. How did he know it?

Answer. I did not ask him, for I thought at that time it was probable he was a good friend of mine, and it might be death for him to come and tell me.

Question. Notwithstanding it was death to him, he came and told you?

Answer. Yes, sir; at the time.

Question. What made you think it was death to him?

Answer. Because that spirit was up in the people.

Question. Did you think he was a Ku-Klux?

Answer. I did not know whether he was or not.

Question. He told you they were to come that night?

Answer. He said to-night, to-morrow, or the next night, and you are not to tell what

I tell you, and he told me I could find at his house a shelter, but to say nothing about that.

Question. That would be mere prudence for your own safety?

Answer. He spoke as if he was working for my safety.

Question. That was natural for him to tell you to say nothing about it, or the Ku-Klux would find out where you were?

Answer. Yes, sir; certainly.

Question. There was nothing very mysterious about that?

Answer. No, sir; his proposition was not mysterious, but it gave me a scare; I took it as a warning.

Question. Who was this friend who told you he was deputed to drop you a notice?

Answer. Thomas Davis.

Question. The same man you spoke of?

Answer. Yes, sir.

Question. Is he your friend?

Answer. He made himself a friend in that way. Me and him has been friendly.

Question. Did he say who authorized him to drop the notice?

Answer. J. H. Ezell.

Question. Did you ever speak to Mr. Ezell about it?

Answer. No, sir.

Question. Why not?

Answer. The condition of the country now don't admit for me to say anything about it.

Question. How far does Ezell live from you?

Answer. About a quarter of a mile.

Question. How far does Davis live from you?

Answer. About four miles.

Question. Do you suspect Ezell of being a Ku-Klux; and if so, how do you know?

Answer. Am I compelled to tell?

Question. I do not care for my present purpose whether you tell or not, if you object to it.

Answer. Then just let that pass on.

Question. Do you suppose it was a very natural or shrewd operation in Ezell, if he belonged to this secret organization, to get another man to go and tell you that the Ku-Klux was going to visit you?

Answer. He wanted me to resign the office. I do not know his object, but he always wanted the trial justice's position.

Question. Would it not have been a much more secret way for Mr. Ezell, or any other member of the Ku-Klux organization, to have dropped you a written notice in the usual form, rather than to have sent an agent?

Answer. I cannot say as to that.

By Mr. STEVENSON:

Question. I understand that that was what they were talking about?

Answer. Yes, sir; about dropping a written notice.

By Mr. VAN TRUMP:

Question. Still it was giving you a verbal notice by a person?

Answer. Yes, sir.

Question. Of a visit of the Ku-Klux?

Answer. No, sir; he did not say of the Ku-Klux. He just wanted him to drop me a notice for me to resign, and he advised me in a drinking way—him and me going down through the road—he up and told me this thing. He is a very shallow fellow to keep secrets, and he told me this thing as a secret, and I have kept it as a secret until now. I have said nothing of consequence about it.

Question. If they intended to give you notice, verbal or written, about resigning your office, did you not infer from that that he belonged to the Ku-Klux?

Answer. I do not know what put them up.

Question. If he did, it would be a very foolish way to do to send a person to inform you of a thing which they might keep secret.

Answer. He was not going to send him in person to drop a notice; but this fellow did tell it. The notice was to have been dropped only.

Question. When these disguised men called to see you—you not being at home—your wife said there were about fifteen or twenty?

Answer. Yes, sir.

Question. But Scruggs said there were about a hundred?

Answer. Yes, sir; the family did. I do not know as the old man did, for he did not come out; but the yard was full, and they were supposed to be a hundred.

Question. Is not that a specimen of the exaggerated rumors in this country of the numbers of these disguised men, when one might think there were three hundred, and another that there were fifteen?

Answer. I think the people generally are excited, and there are not as many as the people think, when they see them mounted, in a band. I do not think there are as many as they suppose them to be.

By Mr. STEVENSON:

Question. Might they not have separated, so that a larger number came to Scruggs's house than to your house?

Answer. They might have done that. They said at the house down below me that they had a crowd at that house while they came to my house, and they staid there. I had staid at Ezell's some few nights, and they had searched that house.

Question. Is he the man who offered you refuge?

Answer. No, sir; but he had in former times told me to stay all night with him, and I have done so.

By Mr. VAN TRUMP:

Question. But he told you they had been at his house?

Answer. Yes, sir; and they guarded his house a while, and they came to my house.

By Mr. STEVENSON:

Question. They guarded his house, and then a part went to yours?

Answer. Yes, sir.

Question. And then probably all joined again at Scruggs's?

Answer. Yes, sir.

Question. As to this Captain Lyle, how did he get his title of captain?

Answer. From the confederate army, I suppose.

Question. Was he in the rebel army?

Answer. Yes, sir.

Question. Were you in the rebel army?

Answer. I was temporarily in it. I have been afflicted always, and I did not enter only a few weeks. I was off at a hospital. I was never in any engagement.

By Mr. VAN TRUMP:

Question. This man Ezell, about whom you feel so delicate as to expressing a suspicion of his being a Ku-Klux, really furnished you protection in his house?

Answer. He did in the commencement of this thing.

Question. On this occasion he told you they had been at his house?

Answer. Yes, sir; they guarded his house; they searched his house fully, and then left a guard there while they went to my house, and then back, and then they went to Scruggs's.

Question. Taking into consideration that Mr. Ezell is a neighbor of yours, and in times not long ago offered you protection from these men, and that they were at his house searching for you, still you suspect him of being a Ku-Klux?

Answer. Did I say I suspected him?

Question. You refused to answer when you were asked. You may answer now. Do you suspect him?

Answer. I do.

Question. That is the force of your imagination?

Answer. Just the force of my imagination.

Question. What relation are you to Margaret Blackwell?

Answer. She is a sister of mine.

SPARTANBURGH, SOUTH CAROLINA, July 10, 1871.

WILLIAM BRIGHT sworn and examined.

By the CHAIRMAN:

Question. Where do you live?

Answer. I live in the neighborhood of Cowpens Furnace, in the upper edge of this county.

Question. What is your occupation?

Answer. Farming.

Question. How long have you lived in this county?

Answer. All my life.

Question. How old are you?

Answer. I will be forty-five years old, if I mistake not, on the 10th of September next.

Question. Have you been visited at any time by the Ku-Klux?

Answer. At one time, yes, sir.

Question. Go on and tell when it was.

Answer. It was the 30th of April last.

Question. Tell what they said and did at that time.

Answer. Well, they ran up to my house and snatched me out before I was aware that there was anybody about, and asked me whether I was a democrat or a radical. I told them I had always voted the republican ticket. They wanted to know of me if I couldn't do better than that. I told them I didn't think I could. They asked me then if I was afraid of them. I told them the man hadn't been about there that I could say safely I was afraid of. They asked me the reason; I told them because I was an honest man; that I worked for my living, and meddled with no man's business but my own, and I didn't think they had any business at my house unless they came like gentlemen, in day-time and without being disguised. They double-quickened me and trotted me, and they jerked my coat off and struck me three licks apiece. There were ten of them with switches, taken off of the bushes, and they kicked me I don't know how many times. I do not say the whole ten struck me, for I wouldn't be positive, but what did strike struck three lashes apiece.

Question. Was anything said during the whipping?

Answer. Nothing, only counting the number among each of the party, among themselves—number two, number three, number four, and so forth.

Question. Who did that?

Answer. I am not able to say, sir.

Question. When they were through the whipping, was anything further said?

Answer. There was a good deal said that I couldn't understand, as they talked in such a manner. I know what it was for, though; I thought I did; it was to keep me from knowing their voices, so that I couldn't understand even what they said.

Question. What did they say to you?

Answer. They asked me if I didn't think I could do better than I had been doing.

By Mr. VAN TRUMP:

Question. Is that a natural defect in your eye? What makes you wink in that way?

Answer. I reckon so; it is natural.

By the CHAIRMAN:

Question. Go on with your statement.

Answer. When they left they told me to keep this still now, to say nothing about it.

Question. Was that all?

Answer. All that I recollect now, sir.

Question. What did you do then?

Answer. I went home.

Question. What time of night was this?

Answer. I had not gone to bed; it was about common bed-time.

Question. What is common bed-time?

Answer. About 9 o'clock.

Question. How many persons were there?

Answer. Ten.

Question. How were they disguised?

Answer. They had on some kind of uniform that came down here, and horns on them.

Question. Did you recognize anybody among them?

Answer. Not with any certainty, that I could feel safe in swearing to them.

Question. Were you aware of any cause of quarrel with anybody to account for this visit to you?

Answer. No, sir; not that I know anything of at all.

Question. Do you live on rented land or own your land?

Answer. I own my land; I live on my own land.

Question. How much have you?

Answer. I believe I pay taxes for fifty-three acres.

Question. Have you a family?

Answer. Yes, sir; I have five children.

Question. Were they present when you were taken from the house?

Answer. Yes, sir.

Question. How many cases of this kind have occurred up in that Cowpens neighborhood that you know of?

Answer. A good many; I don't know that I could exactly tell or call them all over, or near all of them, but I will say a good many.

Question. How many white men do you recollect there?

Answer. Well, there was William Champion, and Perry Price, and Rufus Erwin, and it appears to me there was another right around my neighborhood, but I will not say for certain. Several have had efforts made for them, but they were missed by their lying out.

Question. To what extent does that practice of lying out prevail?

Answer. It is to keep the Ku-Klux off of them.

Question. To what extent does it prevail? Are there many that do so?

Answer. I am told so.

Question. Do you know it?

Answer. No, sir; I don't know of many lying out; that is, right around my neighborhood.

Question. How has it been with yourself; have you laid out at any time, either before or since this whipping?

Answer. No, sir; I am on my oath, I suppose; I laid out only one night, and I did that afterward.

By Mr. VAN TRUMP:

Question. Did you not know you were under oath?

Answer. I allowed I was; I only laid out one night, and that was afterward.

By the CHAIRMAN:

Question. For what reason?

Answer. I reckoned they would come back from what I had heard said; I thought I knew some of them.

Question. Did you think you knew some of them?

Answer. I sometimes thought I knew their shape, and make, and motion.

Question. Were you sufficiently certain to be willing to say with any degree of assurance that they were the men?

Answer. No, sir; I can't say that.

By Mr. STEVENSON:

Question. Have they left any white republicans in that neighborhood untroubled?

Answer. Yes, sir.

Question. Are there any that have not been visited, or threatened, or troubled in any way?

Answer. I don't believe there are any but what have been threatened right in my neighborhood.

Question. How is it with the prominent colored republicans—the leading black men?

Answer. Well, they are whipped and threatened, I would say, most of them, sir, and run off.

Question. Have any white republicans left the neighborhood?

Answer. No, sir; none but Perry Price and William Champion.

Question. Have any of them renounced the party, publishing cards in the paper; any white republicans?

Answer. I am not able to say positively.

By Mr. VAN TRUMP:

Question. When was this visit?

Answer. The 30th of April.

Question. What makes you recollect the day?

Answer. I recollect it very well, because I thought very much of reporting.

Question. You did not report?

Answer. No, sir.

Question. Although you had strong suspicion of knowing some of the men that attacked you?

Answer. No, sir; I did not report.

Question. When did you first tell of it; when did you report?

Answer. I told some men that I sort of thought it was them; I told them I wouldn't be surprised if they were of the gang.

Question. You said that to these men themselves?

Answer. Do you mean when did I make the report to this place?

Question. I asked what you meant by what you have said; that you told some men you suspected them?

Answer. You see I made no report on them, but aimed at it when I took account of the days and nights they were there.

Question. I understood you to say that you spoke to some of these men whom you suspected about it?

Answer. Yes, sir; I saw one of them, and I told them I would not be surprised if those were the men, or one of the party; I asked them were they not.

Question. You did not seem to be much afraid of them?

Answer. No, sir; I was not afraid of him.

Question. Was he the only one you spoke to?

Answer. Yes, sir; I never saw but one.

Question. Who was he?

Answer. One of them did, or I thought they made convention to meet me at my

brother's one day. One of their wives made convention to meet at my brother's, when I was to be there, to hear what I would say about it, and she asked the question; she understood I accused somebody about it, and I told her I did; I couldn't help thinking it was somebody.

Question. Whose wife was that?

Answer. That was Moses Quinn's wife.

Question. When did you report this case?

Answer. I reported it when they summoned me to come here.

Question. How did they know how to summon anybody?

Answer. Some of the neighbors reported that I was Ku-Kluxed.

Question. Then it was known directly after you were Ku-Kluxed in the neighborhood?

Answer. Certainly, I let it be known myself.

Question. Then you reported it?

Answer. I reported it in the neighborhood, but not this place; I reported it right the next morning, immediately.

Question. If you had strong suspicions of knowing some of these men, why did you not report at the proper place where they would be arrested and punished?

Answer. I was unwilling to swear to a thing without I positively knew it, or to accuse for fear I might accuse an innocent man.

Question. You felt then like you have to-day?

Answer. Yes, sir.

Question. What kind of a night was this 30th of April last?

Answer. I think it was a moonshiny night; it inclined to be a little cloudy, or hazy cloudy.

Question. What state of the moon was it, the first or last quarter, or full?

Answer. I don't remember.

Question. Was it light enough to see the men as they came?

Answer. Yes, sir.

Question. How did they come; on horseback or on foot?

Answer. On foot.

Question. Did they have any horses?

Answer. No, sir; I didn't see any.

Question. Did they manifest any violence at that time?

Answer. They just ran right in and grabbed me out.

Question. You had not gone to bed?

Answer. No, sir; I was pulling my shoes off to go to bed; I was sitting rather with my back to the door, and they just grabbed me out.

Question. When the chairman asked you whether you had laid out, why did you ask, before answering, whether you were under oath or not?

Answer. Well, I wanted to be positive.

Question. Did you not know you were under oath?

Answer. I thought I was.

Question. Were you not sworn here?

Answer. Yes, sir.

Question. How were you sworn?

Answer. I was sworn to tell the truth.

Question. With uplifted hand or on the book?

Answer. Uplifted hand.

Question. Then why did you ask the Senator whether you were under oath or not?

Answer. Just because I wanted to know for certain that I were.

Question. Were you uncertain?

Answer. I didn't know that I was on oath all the time. I was talking. I was simple enough to think that a few words, may be, would release the oath.

Question. You were not certain—you having sworn before that, taken an oath, to tell all that you knew of this matter—whether that swearing lasted through all of the testimony?

Answer. I was thinking may be I was released. They ordered me not to say I was lying out, or that I would lie out.

Question. Who ordered you?

Answer. These Ku-Kluxing fellows that was at my house.

Question. You did not lie out at all after they visited you?

Answer. Yes, sir; but they ordered me if I did lie out not to tell that they had been there, or that I might lie out.

Question. Are you sure that they said that?

Answer. Yes, sir.

Question. When the chairman asked you to tell all that they said on that occasion why did you not tell that fact, that they warned you not to tell if you should lie out?

Answer. They asked me did I lie out, but I told them I hadn't. They told me if I

had, not to tell it, and if I did, not to tell it, and not to tell that I had been attacked by them by any means.

Question. You must keep secret everything?

Answer. Yes, sir.

Question. You did not think of that when you were trying to tell everything a while ago?

Answer. No, sir; there were so many things said I couldn't think of them.

Question. There were not so many things. It seems by your testimony that about all that they were asking you was whether you were a democrat or a radical.

Answer. There were many little things.

Question. When did they ask that?

Answer. When they came up and jerked me out in the yard.

Question. When did they warn you not to tell about sleeping out?

Answer. After they had me out and whipped me they warned me.

Question. How many days have you been in town waiting to be examined?

Answer. I came here Friday.

Question. Where have you staid?

Answer. I have staid with Mr. Franklin Camp.

Question. Who is he?

Answer. The tax collector of this county.

Question. At his house?

Answer. Yes, sir. I have been here since Friday, and I put up at his house Friday evening and staid with his brother, Quinn Camp, Friday night.

Question. Have you and the assessor talked a good deal about this business since then?

Answer. No, sir.

Question. None at all?

Answer. Yes, sir; some little.

Question. What talk did you have?

Answer. He asked me if I knew any of them; we talked around.

Question. Nothing more?

Answer. Not that I recollect.

Question. Did he not ask you whether they inquired of you as to whether you were a democrat or republican?

Answer. Yes, sir; I believe he did, or else I just told him; I don't remember how that was.

Question. Cannot you recollect how it was?

Answer. He was inquiring about their coming to my house; I don't remember whether I told him that first or whether he asked me first.

Question. Mr. Camp does not keep a tavern?

Answer. No, sir; a private house.

Question. Are you and he on intimate terms of acquaintance?

Answer. Well, yes, sir.

Question. How long have you known each other?

Answer. I have known him ever since I have known anybody.

Question. Did anybody else ask you about what you were to swear to in town here?

Answer. No, sir. Mr. Gentry made application before some of these gentlemen Saturday evening, had they any objection to letting him question me a little.

Question. Whom did he ask? Was it some gentleman of the committee?

Answer. Yes, sir; I believe Mr. Poinier and Mr. Johnson were present, and Mr. Casey was out there.

By the CHAIRMAN:

Question. In what capacity was Mr. Gentry acting in wanting to question you?

Answer. I am not able to say.

Question. Did he tell you he had been appointed on a committee here to do so?

Answer. No, sir; he just asked them had they any objection to his asking me.

Question. That is, he asked Mr. Poinier and Mr. Casey?

Answer. Yes, sir; he asked them if they had any objection.

Question. Was any objection made?

Answer. There was nothing passed, nothing said; I don't think they made him any answer at all, nor me either.

Question. Is Mr. Gentry a prominent citizen here, and a democrat?

Answer. Yes, sir.

Question. Did he talk with you then?

Answer. No, sir; I never had any conversation with him at all.

Question. Why did he not go on and put the questions when nobody made any objection?

Answer. I can't say; I didn't say anything.

Question. There was no obstacle to his saying anything he saw proper to you?

Answer. No, sir.

By Mr. STEVENSON:

Question. Was Mr. Gentry questioning the other witnesses?

Answer. Not that I know of, sir. I just thought he was busying himself; they were talking, chatting when I walked up there.

SPARTANBURGH, SOUTH CAROLINA, July 10, 1871.

JAMES HENLEY sworn and examined.

By the CHAIRMAN:

Question. Where do you live?

Answer. Just ten miles below here, down the railroad pretty much, a little to the right of the railroad, some three miles, in Pacolet Township.

Question. What is your occupation?

Answer. Farming.

Question. How long have you lived in this county?

Answer. Thirty-five years.

Question. Are you a native of the State?

Answer. Yes, sir; I was born in Laurens district.

Question. How old are you?

Answer. Fifty-two.

Question. Have you been visited at any time by masked men?

Answer. Yes, sir.

Question. Go on and tell us when it was, and all that they said and did.

Answer. I think it was about the eleventh night of May last, somewhere about the first of May anyhow; I am not positive about the night.

Question. Do you mean it was in the first part of May?

Answer. Yes, sir; I suppose it was about 10 o'clock at night. I had been working very hard that day and laid down early, and was sleeping very sound. About 10 o'clock a noise was heard at both my doors, a knocking and hallooing. It frightened me. I jumped up. They ordered me to open the door. I didn't do it until I made up a light; that was the first thing I did. I opened the door and three men jumped into the middle of the floor, with pistols in their hands, presented to my breast. One stood on the door-step who didn't come in, standing up facing the door. The first word they said was, "Did you ever see a Ku-Klux?" I said, "Not that I know of." He says, "You are a radical." I says, "No, sir; I am not a radical more than you are." "What are you?" said he. I said, "According to what little light and knowledge I have, I claim to be a republican, but no radical." I think that was about the height of what they said in the house. They asked me to walk out in the yard. I did so. They struck me five licks with a switch about this size. [A switch in the witness's hand.]

By Mr. VAN TRUMP:

Question. How long is it; about two feet and a half?

Answer. About two feet, I think; that may have been a little longer than this.

By the CHAIRMAN:

Question. They struck you with this?

Answer. Yes, sir.

Question. Go on.

Answer. Then they told me to advertise myself in the county paper, to advertise my principles; and if I didn't they might return again. That was just about all that passed at my house.

Question. What did you understand by that?

Answer. By which?

Question. What did you understand that they required you to do in advertising your principles in the county paper?

Answer. To renounce radicalism. I told them I was not a radical; that I abominated the thing itself—that is, what they estimated them in our part of the country.

Question. What do you understand by "radicalism?"

Answer. That's running a thing to extremes. I am no learned man; I am a poor man.

Question. You make a distinction between republicanism and radicalism?

Answer. Yes, sir; I am opposed to extremes of any kind.

Question. Had you taken any part in politics?

Answer. No, sir.

Question. Had you held any office?

Answer. No, sir. There is one question I had forgotten. He says, "Have you been

seeking office?" I told him, "No, never in my life;" but the year before last they appointed me assessor of this township, if you call that office. But I didn't seek it; they appointed me.

Question. Had you acted as assessor?

Answer. Yes, sir; this last fall a year ago.

Question. Who appointed you?

Answer. This here Mr. Fleming.

Question. The county auditor appoints the assessors?

Answer. Yes, sir.

Question. Did you advertise in pursuance of that warning?

Answer. Yes, sir; I told them I didn't care who knew my principles at all.

Question. What did you say in your advertisement?

Answer. I can't recollect now; it's in the Spartanburgh paper; if I had it I could show it to you. I told them I was no radical; that I voted for the reform ticket at the last election.

By Mr. VAN TRUMP:

Question. Did you say in that card what you would do?

Answer. I said I was for a white man's government.

Question. How is it that you voted the radical ticket?

Answer. I never voted it. I took some out of each ticket. Ever since the war I have been opposed to extremes of both parties.

Question. Had you never at any time voted all one party?

Answer. No, sir; I think I have always split my ticket. This last election I didn't vote for governor at all.

Question. Then you avowed your real principles in that card?

Answer. Yes, sir; according to my light, though I am no read man at all.

Question. But you were in favor of a white man's government?

Answer. Yes, sir; I have always been.

Question. And voted split tickets?

Answer. Yes, sir; part democrats and part republicans.

By the CHAIRMAN:

Question. That being known, how did it come that you were required to advertise your principles in the newspaper?

Answer. I can't tell.

Question. Is that the system pursued here, that men are required by whipping to advertise their principles?

Answer. That has been the case in my neighborhood.

Question. How many?

Answer. Several; two are sitting out there now.

Question. Who?

Answer. Mr. Foster and Mr. Hood.

Question. How near are they to you?

Answer. One about a mile, and the other a mile and a half; and another old gentleman, my brother, who was going to do the same thing; he is sick and couldn't be here.

Question. Whose place do you live on?

Answer. I live on my own land.

By Mr. VAN TRUMP:

Question. Are you speaking of men who actually advertised in the paper?

Answer. No, sir; these men didn't advertise.

By the CHAIRMAN:

Question. Were they required to?

Answer. Yes, sir, or they would have another visit; but since that the Bates affair turned up, and it stopped the riding since then.

Question. What is the Bates affair?

Answer. General Bates shot one of them.

Question. A Ku-Klux?

Answer. I can't say; he shot a man who was there.

Question. He shot a man he charged with having been there?

Answer. Yes, sir.

Question. How far do you live from Mr. Bates?

Answer. Three miles.

Question. Did they require anything more of you?

Answer. No, sir; that is all.

Question. How were these men dressed?

Answer. They had a black covering over their faces; I took it to be cloth, with holes cut around the eyes and nose, and I think some kind of fixing of paper—a cap of some-

thing or other on the head—and one had a red apron down before him; it looked so in the night.

Question. Did you know any of them?

Answer. No, sir; none at all.

Question. Do you think they were any of your neighbors?

Answer. I can't tell who they were, for I would not have known my own child if he had come into my house in that kind of a fix.

Question. What time of night was this?

Answer. About 10 o'clock.

Question. Had you been abed?

Answer. Yes, sir; abed and asleep, and the first thing I heard they were hallooing to open the door.

Question. In what condition were you when struck with these switches?

Answer. I was standing with my clothes on.

Question. Your night clothes?

Answer. Yes, sir.

Question. Were the lashes severe?

Answer. They struck pretty hard.

Question. Have you given us the language as near as you can which they used in requiring you to advertise?

Answer. Yes, sir; as nigh as I can, the language that was used.

Question. That was used after you had told them that you were not a radical, but were a republican?

Answer. Yes, sir.

Question. Do the white men in your neighborhood feel safe to act according to their own conscientious convictions upon political questions?

Answer. I don't think they do; as a general thing, I don't think they do.

Question. For what reason?

Answer. For fear of these men visiting them.

Question. To what extent does that feeling prevail according to your information?

Answer. I think it is pretty extensive; at least all I hear speaking about the thing are rather inclined that way.

Question. Does that apply to both political parties or only one? Have there been any instances where members of the democratic party, avowing themselves as such, have been treated in this way for acting upon their political faith?

Answer. I have not heard of any.

By Mr. STEVENSON:

Question. Was anything said by them or you while they were there about a white man's government?

Answer. No, sir; not a word.

Question. What did they say about publishing yourself in the paper; what language did they use?

Answer. Nothing more than that they required me to do it in the next issue.

Question. To do what?

Answer. To publish myself in the papers.

Question. To publish what?

Answer. They didn't say.

Question. After you had told your principles they told you that?

Answer. Yes, sir;

Question. They seem to have mistaken you when they came there?

Answer. They must have done it.

Question. How many were there?

Answer. I only saw four; my house is back from the road eight steps.

Question. Were any on horseback?

Answer. I can't tell. There were some on horseback.

Question. Could you tell how many there were out there at the road?

Answer. No, sir.

Question. They did not take you out of the yard?

Answer. No, sir; they just asked me to walk out in the yard.

Question. Did they hit you these licks after you had told them what you were?

Answer. Yes, sir.

Question. You say you had been assessor?

Answer. Yes, sir.

Question. When?

Answer. Last September a year ago.

Question. You say you had scratched your ticket?

Answer. Yes, sir; I have voted for some of both parties all the time.

Question. How did you vote for President in 1868?

Answer. At that election I didn't vote at all; I was sick at that time.

Question. Which ticket did you support in that canvass?

Answer. I should have supported Grant if I had been at the election.

Question. Were you known to have been in favor of Grant?

Answer. I don't know. I am a man that never said anything about what I am.

Question. How did your neighbors regard you?

Answer. My nearest neighbors regarded me in that way, but I never talked politics.

Question. Did you assess property in that township?

Answer. Yes, sir.

Question. How did you assess the general rate of land there?

Answer. I don't think I went over as high as five dollars.

Question. Five dollars an acre?

Answer. Yes, sir; and from that down to one.

Question. How did it range?

Answer. It didn't average more than two and a half an acre.

Question. Improved land?

Answer. Yes, sir. I never heard of any complaint.

Question. Is not that low?

Answer. Our land is very poor land.

Question. What was that land worth before the war?

Answer. Three to five dollars.

Question. And now from one to five?

Answer. That's the way I put it down. There's a great deal of it in old field now entirely worn out and washed away.

Question. Is there a good deal of good cotton land?

Answer. No, sir; it is not the best of cotton land.

Question. But fair?

Answer. It will bring tolerably fair if you manure it.

Question. A good deal is improved?

Answer. It is mighty thickly settled.

Question. Do you ever hear any complaint of your assessment?

Answer. No, sir.

Question. Do you know how the lands were generally assessed in this county?

Answer. I do not.

Question. Did you ever hear from any other part of the county any complaint as to the assessments?

Answer. I don't think I did.

Question. Are the lands generally assessed higher or lower in that region?

Answer. Which? Than I did it?

Question. Yes.

Answer. Some are assessed a little higher than I did in my neighborhood, but I can't say much about these political matters.

Question. The year you were assessor, were the assessments generally low or high?

Answer. Generally low the year I went around, and the people appeared to be pretty well satisfied; I heard no complaint.

Question. You could not put it much lower?

Answer. No, sir; but I thought it was high enough too.

By Mr. VAN TRUMP:

Question. While I do not defend or approve of a light whipping more than a heavy one, because I denounce the whole affair, yet I want to get at the facts in each case. The chairman has asked whether you were not severely whipped; I ask whether, with that little riding switch you said was such as you had in your hand, a man could possibly be hurt?

Answer. It stings right close.

Question. It smarted?

Answer. O, yes, sir; they used five or six sticks, but not larger than this.

Question. You alluded to this Bates affair, and say that since then you have not heard of any of these troubles?

Answer. Yes, sir.

Question. That has been recently?

Answer. It has not been long ago.

Question. Is it understood that Mr. Bates had suspected some of his neighbors, and a neighbor was going to see him to state to him that he was not one of the men who met him in the road, and they got into an altercation, and this man got killed? Is not that the fact?

Answer. I can't say; it is only the rumor I have heard.

By the CHAIRMAN:

Question. Is not that the state of the rumor?

Answer. Yes, sir; that is the state of the rumor.

Question. That General Bates's daughter identified one man as one of those who had visited her father's house?

Answer. Yes, sir; I understood so.

Question. And it was upon that, that information, that the General shot this man when he came to his own house to visit him and in an altercation presented a pistol at him?

Answer. Yes, sir.

Question. Is not that the way the rumor runs?

Answer. Yes, sir; somehow that way.

Question. The matter is to be the subject of an investigation in court?

Answer. Yes, sir.

By Mr. VAN TRUMP:

Question. Is there any conflict of testimony about that?

Answer. I don't know.

Question. Are there not witnesses who have sworn that Bates first drew his gun and shot this man while the man was in the act of getting his pistol out of his pocket?

Answer. I don't know.

SPARTANBURGH, SOUTH CAROLINA, July 10, 1871.

ELI HOOD sworn and examined.

By the CHAIRMAN:

Question. Where do you live?

Answer. Ten miles below here, in the Spartanburgh district.

Question. In what township?

Answer. Pacolet Township. Me and Mr. Henley are right close neighbors.

Question. What are you?

Answer. I am a radical.

Question. I asked for your occupation?

Answer. I farm by occupation.

Question. How long have you lived there?

Answer. It has been about, as well as I recollect, ten or twelve years since I was married. Part of the time I was in the army, and part of it on the railroad since.

Question. Are you a native here?

Answer. No, sir; I was born and raised in Newberry district.

Question. Are you a native of South Carolina?

Answer. Yes, sir.

Question. Have you been visited by any of these Ku-Klux?

Answer. Yes, sir.

Question. When?

Answer. As well as I recollect, it has been about four or five weeks ago.

Question. Go on and tell us how they came, and what they did and said.

Answer. They just came up to the fence, about ten or fifteen steps from the house, and called me, "Hallo, Mr. Hood." I was awake, and answered them. They said, "Come out here." I went out. They said, "Did you ever hear of the Ku-Klux?" I said, "No." He said, "My advice to you is to denounce your name in the paper against the next issue, and, provided you fail, we will call back to see you, and the consequences may be death." They just turned around then, and rode off. I still stood in the door. Twenty or thirty yards from my door, they turned around to go into the road, and they halted, and one of them came back about half the distance, and said, "Shut the door, go back to bed, and do not be looking at us." I says, "I can do it," and I shut my door, and went back to bed.

Question. What time was this?

Answer. It was between 10 and 11 o'clock.

Question. How were these men dressed?

Answer. I can't tell; they were not nigh enough to me to tell. They just came from Mr. Henley's to my house, and then from my house to my father-in-law's. It was only a quarter of a mile. They called on him, and then from there they went to Mr. Foster's.

Question. Who is your father-in-law?

Answer. Mathew F. Gossett.

Question. What did you understand by this direction to you to announce yourself in the newspaper?

Answer. It was, as I suppose from what they told the others, to renounce radicalism. That is what they meant. They told my father-in-law, when they called him up; they went right up to the door—

By Mr. VAN TRUMP:

Question. Were you there?

Answer. No, sir; my father-in-law told me that.

Question. Is he summoned here as a witness?

Answer. No, sir; he is not coming; he is sick. He told me all about it the next day, Sunday. He said they called him out, and he went to the piazza-door, and they stood with their horses' heads right jam up to the door—two of them—and said, "Damn you; I want you to announce your damned radicalism in the next issue of the paper."

By the CHAIRMAN:

Question. Announce or renounce?

Answer. It might have been renounce. It was to renounce his damned radicalism in the paper—that is, my father-in-law—and he told me that.

Question. Did they say anything to you about your politics?

Answer. No, sir, only what I have told you.

Question. Have you taken any part in politics?

Answer. No, sir; none at all.

Question. Do you hold any office?

Answer. No, sir.

Question. Had you made known what side you did vote with?

Answer. No, sir; I have never told nobody at all, for that is a thing I never said—what nobody ever knew—what I was, only my wife. I never made no public business to go about telling what I was; I always tried to attend to my own business.

Question. But you have voted the radical ticket?

Answer. Yes, sir.

Question. What effect have these proceedings had in your township upon the freedom with which men can entertain and express their political opinions?

Answer. I do not know; I cannot say; I am not smart enough to tell.

Question. What effect has it had upon yourself?

Answer. I think it is right that I should be that way.

Question. What way?

Answer. Radical.

Question. Has this calling upon men, and requiring them to renounce their party, had the effect of leading men to believe that they were not safe in entertaining their own political opinions?

Answer. I expect so.

Question. Has it had that effect on you? Did you announce your name?

Answer. No, sir.

Question. Have you felt secure since, in consequence of this threat?

Answer. No, sir, I have not felt secure since.

Question. What have you apprehended?

Answer. I have been afraid. To tell you the truth, I have not staid at home but a very few nights since; I have been afraid they would call back, and see me, you know.

Question. Staid out where?

Answer. Staid out in the woods.

Question. Have you slept in the woods since that?

Answer. Yes, sir.

Question. Has that been in consequence of these threats made to you?

Answer. Yes, sir, that is what has done it.

Question. You did not put a card in the papers?

Answer. No, sir.

Question. Do you believe that if you had done so that would have made you safe?

Answer. I don't doubt they would have ever come back to see me, from what they said to me.

Question. How long ago was this that they were at your house?

Answer. I think it is about six weeks.

Question. How often have you slept out since then?

Answer. There has been only four or five nights but what I have been staying out from home since then.

Question. Have you left your family in the house?

Answer. Yes, sir; there is a widow woman and her daughters live close by, and they come and stay with her at night, and she would go there and stay at night, but she would not stay at home by herself.

Question. What effect has it had upon your family?

Answer. It didn't have any effect on her while they were there, but after they were there she asked me to get a light, and she came and sat down on my lap, and she was all of a shake in this way, and frightened so she could not sit still. The fright came on her after they went away.

Question. Did you see whether these men were disguised or not?

Answer. No, sir; it was dark; I could not tell you.

Question. Do you know either of them?

Answer. No, sir.

By Mr. VAN TRUMP:

Question. How far do you live from Cowpens' battle-ground?

Answer. I live in the other direction.

By Mr. STEVENSON:

Question. Are you living on your own land?

Answer. No, sir. My father-in-law told me he would let me have fifty acres.

Question. Do you live on his land?

Answer. Yes, sir.

Question. Is he the land-owner?

Answer. Yes, sir.

Question. How much?

Answer. I don't know; about one hundred and fifty or one hundred and sixty acres.

Question. Is he an old citizen?

Answer. Yes, sir; he was born and raised there.

By the CHAIRMAN:

Question. What is he named?

Answer. Mr. Gossett.

By Mr. STEVENSON:

Question. How old is he?

Answer. Some sixty-odd years old.

By Mr. VAN TRUMP:

Question. How many of these men were there that called on you that night?

Answer. From what I could see I think there were six.

Question. Were they on horseback or on foot?

Answer. On horseback; but I could not see well. They were all sitting on their horses.

Question. What time of the night was it?

Answer. Between 10 and 11 o'clock. It was pretty early. It was five or six weeks ago. It was tolerably on in the evening.

Question. Had you gone to bed?

Answer. Yes, sir; I had taken a nap of sleep. I had left my shuck-house door open, and my wife called me up to keep the cows from eating the fodder, and I went out and went back and hadn't got to sleep when they called me up.

Question. What did they say?

Answer. They said, "Hallo, Mr. Hood, get up; come out here." I opened the door, and they said, "Did you ever see any Ku-Klux?" "No," said I. And they said, "My advice to you is to announce your name in the paper against the next issue. Provided you fail, we will call back and see you."

Question. What did he say you should announce with your name?

Answer. He didn't say. Those are the words, as well as I recollect. I am sort of hard of hearing. I can lay down on my right side and I can't hear any one.

Question. Then they rode off, and you stood looking after them?

Answer. Yes, sir.

Question. But one of them came back and advised you to go to bed and not stand looking at them?

Answer. Yes, sir.

Question. Did you go to bed?

Answer. Yes, sir.

Question. You do not know whether they were disguised or not?

Answer. No, sir.

Question. How close were you to them?

Answer. Ten or fifteen steps.

Question. Was it a dark night?

Answer. Yes, sir; as dark a night as last night was.

Question. You could see the number of persons?

Answer. Yes, sir; I could see the bulk; it looked like six, two on one side of the gate and two on the other side, and it looked like two between these.

Question. Suppose a man had black hair, could you not distinguish his face from his hair at that distance?

Answer. I do not know whether I could or not. I do not think I could, as dark as it was that night.

Question. According to your father-in-law's account, only two called on him

Answer. Only two went to the door; there were four in the yard; two also went to the other door.

Question. Does he say they were disguised?

Answer. Yes, sir; they were. One was disguised. Two were at the doors.

Question. What did they say?

Answer. To renounce his damned radicalism in the next issue of the paper.

Question. Then they rode off?

Answer. No, sir; the one that talked to him pulled out a pistol and put it right to his breast, and said, "Do you see this, sir?" He said that it put a shake on him so that he couldn't stand still.

SPARTANBURGH, SOUTH CAROLINA, July 10, 1871.

SAMUEL F. WHITE sworn and examined.

By the CHAIRMAN:

Question. Do you live in this county?

Answer. Yes, sir.

Question. In what part of the county?

Answer. I live right at Glen Springs, in the lower part of the county.

Question. What is your occupation?

Answer. The carpenter and mill-wright business.

Question. How long have you lived in this county?

Answer. All my life.

Question. How old are you?

Answer. Going on fifty-four.

Question. Have you a family?

Answer. I have had.

Question. Are they living with you at present?

Answer. No, sir.

Question. Where are you living now?

Answer. The last I heard of them they were about Atlanta, Georgia.

Question. Where are you living?

Answer. At Glen Springs.

Question. Have you been visited at any time by the Ku-Klux?

Answer. Yes, sir.

Question. When?

Answer. It was the week of the court that was at Spartanburgh, I think about the 19th.

Question. Of what month?

Answer. Of April last. It was on Wednesday night, I know.

Question. Go on and tell what they said and did.

Answer. They came there and surrounded the house in the night. I was asleep. They got around each door, and demanded of me to make a light and to open the door. They were all around the house, some at one door and some at the other. I did not have much fire, and was slow getting it made up, when they commenced lamming at the back door. After I got up the light I walked to the front door and opened it, and the men there halloed to the others at the back door to stop lamming, and they stopped. They then ordered me to cross my hands; I did so. They asked for a rope; I told them there was none. I reckon one of them went up the stairs with a light to get a piece of rope—an old bed-cord or something, and they took a pillow-slip and slipped it over my head and led me into the yard. They asked me my principles, and I told them. They said, "That was what I thought you were."

Question. What did they say?

Answer. They asked if I was a Union man or a democrat. I told them I had always been a Union man. They said they thought so. They carried me off seventy-five or eighty yards from the house. They said, "Here is a limb," and they asked me whether I would rather be shot, hung, or whipped. I told them if it had to be one, I would have to take a whipping. They ordered me to run; I told them I did not wish to do that. Then they commenced on me.

Question. What did they do?

Answer. They whipped me.

Question. How?

Answer. They took little hickories and one thing or another.

Question. Was the whipping a severe one?

Answer. Yes, sir.

Question. How many strokes did they strike?

Answer. I suppose some thirty or forty.

Question. Did it bruise or cut your flesh?

Answer. Yes, sir.

Question. How many men were there ?

Answer. I can't say as to that; I thought from the number around the house, there were twenty or thirty.

Question. How were they dressed ?

Answer. They were disguised.

Question. How were they disguised ?

Answer. With horns and everything over their faces.

Question. Could you tell who any of them were ?

Answer. No, sir.

Question. What time of night was it ?

Answer. I think it was about 11 o'clock, as well as I can recollect.

Question. What was done after they were through whipping you ?

Answer. They just untied my hands, got on their horses, and went out

Question. Did they leave you there ?

Answer. Yes, sir. He told me I must publish my principles.

Question. What did you understand by that ?

Answer. I think they wanted me to alter my principles to a democrat.

Question. Did you make any such publication ? Did you put anything of the kind in the paper ?

Answer. Yes, sir. They told me I must do it against the next Wednesday.

Question. In what paper ?

Answer. In "The Spartan" paper. They did not particularly mention it, but I put it in "The Spartan" paper; Mr. Trimmier's paper.

Question. What led you to do that ?

Answer. They said if I did not publish it they would come and see me again.

Question. Have you a copy of that paper with your card in ?

Answer. No, sir.

Question. What date was it ?

Answer. I think it was on the 19th, as well as I recollect; I did not set it down. It was to be done on the next Wednesday following.

Question. Was it in the next newspaper after the 19th ?

Answer. Yes, sir, I think it was. I came up on the Monday following and told Mr. Trimmier to put it in. He is the man that has the office.

Question. Would you have done that of your own accord, unless these men had come there ?

Answer. I hated to be forced to do a thing; when I have to do a thing I want to do it voluntarily by myself. But our taxes have been so high and some complaint against the officers, and I concluded I wouldn't vote at all, and I hadn't voted. I was down with fever at the last election.

Question. Would you have published any card of this kind, if these men had not required it ?

Answer. No, sir.

Question. Do you know of others with whom that course has been taken in your part of the county—whipping ?

Answer. I have heard of a good many. Dr. Winsmith was shot the same night, because they went off in that direction. It was the same night. I heard in a day or two after that he was shot.

Question. Did you hear of any other persons being required to publish these cards in the paper ?

Answer. I have heard it reported about, but I never heard them say so ?

Question. Have you felt safe since that time in your own house ?

Answer. Not altogether.

Question. Do you live with any other family ?

Answer. No, sir.

Question. Do you keep house yourself ?

Answer. Yes, sir. They asked me if there was any other person in the house, after I started out of doors. I told them there was not.

Question. You were living there alone ?

Answer. Yes, sir; by myself.

Question. Have you staid in the house since then ?

Answer. Pretty generally. I work at a trade and sometimes am out at work and do not come home. I have been frequently staying in my house until that took place. I had a bit of farm started there—a couple of acres of cotton.

Question. Do you own the place where you live ?

Answer. Yes, sir.

Question. How much land have you ?

Answer. Just two acres there.

Question. Do you own that ?

Answer. Yes, sir.

By Mr. STEVENSON:

Question. What is your trade?

Answer. Carpenter and mill-wright.

By Mr. VAN TRUMP:

Question. I understood you to say that you had already become somewhat dissatisfied on the question of taxation and other matters connected with politics?

Answer. Well, I thought they were pretty hard on us. I had voted for some men, and it appeared like they were grumbling about it.

Question. Before that time you had not voted?

Answer. No, sir; not for two years.

Question. Then although you did not want to be forced to put that card in the paper, yet that card spoke about your sentiments?

Answer. I should not have done it except for the threat. They said they would come and see me again if I did not do it.

Question. But you say you were so dissatisfied with taxation that you did not want to vote anyhow?

Answer. I just about came to the conclusion to not vote until times got better.

Question. Did you come to that conclusion before they called on you?

Answer. I had about that, though I was down with the fever at the election. My brother came out in the same paper at the same time I came out.

Question. Did they visit him?

Answer. No, sir; but he was expecting them.

Question. What is his name?

Answer. Julius C. White.

By Mr. STEVENSON:

Question. What is the feeling among the white republicans in your neighborhood? Do they feel safe?

Answer. No, sir; not altogether.

Question. What is the feeling among the colored people?

Answer. Well, I think they are pretty much the same way. A good many of them left on that account.

Question. Where do they go to?

Answer. They have gone away toward Tennessee, I think. That is what I heard.

Question. Is that whipping and visiting still going on?

Answer. There has not been any for five or six weeks. Last Monday night, about six miles above me, two were taken out.

Question. You mean there has been none very recently in your immediate neighborhood?

Answer. Yes, sir.

By the CHAIRMAN:

Question. Who were those two?

Answer. Patrick Cannon and B. F. Moss.

By Mr. STEVENSON:

Question. When such a thing happens, do you hear of it all over the country?

Answer. Yes, sir; it goes very fast.

Question. Who do you suppose spreads it?

Answer. I cannot tell you; it gets out some way or other.

Question. Do you know who does these things?

Answer. I can't say; I could not tell those men; they were disguised.

Question. You do not know for certain?

Answer. No, sir.

Question. I do not refer to these particular men who visited you, but ask if you have any opinion as to who generally do these things in that region?

Answer. Well, some say one thing, and some another. I wouldn't be willing to say.

Question. Why not?

Answer. If I say a thing I want to be certain of it.

Question. You do not mean to say you have no opinion on the subject, but you mean that you have none that you would like to give?

Answer. Yes, sir.

Mr. STEVENSON. In the Carolina Spartan, published at Spartanburgh, South Carolina, by F. M. Trimmier, I see the following:

[“COMMUNICATED.”]

“MR. EDITOR: I desire to make this public announcement of my withdrawal from all affiliation with the republican party, with which I have heretofore acted. I am

prompted to take this step from the conviction that the policy of said party, in encouraging fraud, bribery, and excessive taxation, is calculated to ruin the country; and that I did not vote at the last election, because I entertained my present opinion of the republicans, and have been so for the last twelve months.

"Respectfully,

SAMUEL F. WHITE."

SPARTANBURGH, SOUTH CAROLINA, July 10, 1871.

ANTHONY H. FOSTER sworn and examined.

By the CHAIRMAN:

Question. Do you live in this county?

Answer. Yes, sir.

Question. In what part of it?

Answer. About nine miles from here, not far from the line of Union County; about four miles from it, on the lower edge of this county.

Question. In what township?

Answer. Pacolet.

Question. What is your occupation?

Answer. Farming.

Question. Are you a native of this State?

Answer. Yes, sir; I was born and raised on the same farm where I live now.

Question. How old are you?

Answer. Fifty-two in October.

Question. Have you a family?

Answer. Yes, sir; I have a large family—nine children.

Question. Are you residing there on your own land?

Answer. Yes, sir; it is my father's place, where I was born and raised.

Question. How much land do you own?

Answer. It is my father's; the old gentleman is dead, but we have not divided. It belongs to us three boys.

Question. Have you been visited by the Ku-Klux?

Answer. There were some persons came there in disguise. I do not know who they were.

Question. How long ago was that?

Answer. Last Saturday night two months ago. It was the Saturday night before the second Sunday in May.

Question. Tell us what they said and did.

Answer. I had gone to bed and to sleep, and about 11 o'clock I suppose—the clock was not running, but it was between 11 and 12 anyhow—some person hallooed out and woke me up. When I woke I got up immediately and went to the door. They called to me to come out. I opened the door, and when I opened it, to my surprise there was some persons in disguise in the yard, and I do not know but one of them was in the piazza—it looked dark out of doors; I couldn't see well. He asked me what county that was. I told him it was Spartanburgh County. He asked me if I was not a radical. I told him no, I was not a radical. He said I was; I think that was the word, and maybe with an oath to it, but I am not so positive that he said it with an oath to it. I told him he was very much mistaken, that I was not, and that I had never been that way, but was a quiet man that just minded my own business. When I said that they came in and took hold of me. I was in my night-clothes. He says, "Gentlemen, here is this man." I do not know what was said out of doors in the yard. There was a good many in the yard. He asked if I had anything to drink. I told him, very little. I had got a little liquor before that to make some medicine for my child. He said he would like to smell of it. I told him they should have it. I went back in the house, from the piazza, and when I went back, two of them followed me, and I mended up the light to see to get it. I made up the light, and they followed me into the back room. I took the key to get it out for them. He said they would compensate me for it. They did not drink it, but they knocked about the house a little and went to the door and said, "Now, have you seen us enough? If you are satisfied shut that door." I shut the door very readily, and started back to bed. When I made no more than two steps, he called me again to come out. I opened the door and went out, and when I went out he says, "I want to see how a Christian can dance," speaking a rather broken tongue. I told him it was unreasonable to ask a man of my age to dance. I had done nothing like it in my life. I told him I could not dance. And also, more than that, I was an afflicted man and could not pull off my clothes without help. I have not done it since Christmas. I told them my arms were drawn out of place with the rheumatism. He threw out his hand. I suppose it was a pistol he had in it. He threw it right up in my face, and I think the word was, "Damn you, you have got to

dance." I tried to shuffle my feet a little, and he played off on the floor, very peert, before me; and he said, "Now you may go in and shut your door." I went in, and they passed on.

Question. What time of night was that?

Answer. I suppose it was between 11 and 12 o'clock. I was asleep when they came, and my clock was not running. I had been asleep for some time.

Question. Had you taken any part in politics?

Answer. Not a bit. I was trying to be quiet; I had no part in politics. I told them all that parties was ruining us..

Question. How had you voted?

Answer. I had voted the democratic ticket as far as I went, but I never took any part. I told them we ought to be united and love the country and try to stick to the Government and do the best we could. That was always my opinion. I was a quiet man, and told them so from the beginning.

Question. Had you taken any part in the war?

Answer. No, sir; I was not able to. I had been brought up here several times for examination, but was never sent further than Columbia.

Question. They first asked you what county that was in?

Answer. Yes, sir.

Question. Did they seem to know?

Answer. No, sir; they seemed to not know by their asking me.

Question. Did the question seem to be sincere or feigned?

Answer. I do not know; they asked it.

Question. Did you know any of them?

Answer. No, sir; there was but the two men came in. I do not know how many there were of the balance in the yard. They were very well disguised and wrapped up.

Question. How were they disguised?

Answer. They had wrappings on the face and all over. I noticed, in the hind part of one, his pants, through whatever was slipped over them. I noticed a slit in the disguise, or thing slipped over them. I could see his pants through it.

Question. You could see that the disguise was thrown over his ordinary clothes?

Answer. Yes, sir.

Question. How were the faces?

Answer. They were covered nearly all, with mouth-holes and eye-holes cut. I looked very close down at one of them and had a good light too.

Question. Were they armed?

Answer. I do not know that I saw that; I saw the pistol-belts around them.

Question. Were there any other persons in your immediate neighborhood visited by those men?

Answer. Yes, sir; that same night Mr. Gossett, one of my neighbors, within a short mile of me, and Mr. Hood, and Mr. Henley were visited.

Question. Was that all in the same night?

Answer. Yes, sir; my children said that there were about six, from the tracks they made when they came in my lot inside—horse and mule tracks.

Question. Has this had the effect of disquieting you any down there, Mr. Foster?

Answer. Yes, sir; very much.

Question. Have you felt safe since then?

Answer. No, sir; I have become more satisfied lately, but for two weeks I could hardly control my family. I staid out some three nights.

Question. Did you stay out yourself?

Answer. Yes, sir, me and my family; I could not get them to stay in; my wife was very much frightened.

By Mr. STEVENSON:

Question. How far do you live from the Union County line?

Answer. About four miles, I suppose.

Question. Had you any sons in the rebel army?

Answer. No, sir; I have but two sons, and the oldest one is but nineteen now.

Question. This band did not seem to know you?

Answer. No, sir.

Question. How long have such bands been passing through that neighborhood?

Answer. I have been hearing of them I can't say exactly how long; but I have heard of them for twelve months, I reckon. I never saw them until then.

Question. Had they visited nearly all the white republicans through there?

Answer. I think so; I don't know myself.

Question. Have they visited many colored people?

Answer. Yes, sir; a great many colored people.

Question. What is the feeling among the colored people in your neighborhood as to their safety?

Answer. So far as I have been able to learn, they have been very uneasy.

Question. What do they do?

Answer. A good many of them have been lying out; that is, they tell me so.

Question. What is the feeling among the white republicans?

Answer. It has been so a good deal; some have been for some time after I was visited. The white republicans seem to be afraid to stay at home.

Question. You were not really a republican?

Answer. No, sir; I was a quiet man. I do not want to have any part at all. I think about the last meeting the democrats had, when we had a democratic club in this country, I told them the last time they assembled, they might have my name if they wanted it, if it would do any good, but I told the clerk next day not to put it down if he hadn't done so.

Question. You were really no party man?

Answer. No, sir.

Question. When you voted you voted democratic?

Answer. Yes, sir; mostly.

Question. Did you hear of any other democrats being visited by them?

Answer. Not that I know of.

Question. Is there any apprehension among the democrats on account of their politics?

Answer. I don't know, sir.

Question. Do you know of any?

Answer. The people all seem to be alarmed pretty much alike.

Question. I ask if any white democrats are afraid of being visited by the Ku-Klux?

Answer. Well, it seems like they were, from all I can gather.

Question. They indicate that they are fearful of being visited themselves?

Answer. Several told me so.

Question. Have you had any idea who these Ku-Klux are?

Answer. No, sir; I hear a great many reports, but I cannot say that I know them at all.

Question. Did these men come from Union County?

Answer. I do not know, sir. They never said where they were from. I understood they told some parties that night, or some of them did, I do not know that all did, that he wanted to be in Rutherford soon—that he expected to be in Rutherford before we would come out.

Question. Before the issue of the paper?

Answer. Yes, sir.

Question. Where is Rutherford?

Answer. It is a county in North Carolina, over here.

Question. How far is your house from the Rutherford County line?

Answer. About forty miles, I think.

Question. Were you at church last Sunday?

Answer. Yes, sir; yesterday evening.

Question. Did you see General Bates's daughter there?

Answer. Yes, sir.

Question. Did you see a gathering of men there with arms?

Answer. I saw several boys that they said had pistols, but I do not know that I saw but one that had the belt on, myself. I saw one.

Question. Did you see these men do or say anything toward her?

Answer. No, sir; only as I went home I heard my daughter tell the circumstances; I did not see any occurrence there.

Question. What was it, if you know?

Answer. Several persons there were present and saw it. I think Mr. Bates's daughter will be here to-morrow.

By Mr. VAN TRUMP:

Question. These men could not have ridden from Rutherford County and back on the same night?

Answer. By no means.

SPARTANBURGH, SOUTH CAROLINA, July 10, 1871.

SAMUEL BONNER (colored) sworn and examined.

By the CHAIRMAN:

Question. Do you live in this county?

Answer. I do; I live in Limestone Township.

Question. How long have you lived there?

Answer. From my birth.

Question. How old are you?

Answer. Twenty-nine on the 2d day of March coming

Question. What is your business?

Answer. I have been raised on a farm; I am farming.

Question. For yourself?

Answer. Yes, sir; farming for myself, on shares.

Question. How much land have you rented?

Answer. About twenty-five acres. I have my father and some of my folks with me. I rented Thomson Robb's land.

Question. Have the Ku-Klux been to see you?

Answer. Yes, sir; they came to see me long about the 1st of April; about corn planting time.

Question. Tell what they said and did?

Answer. They just came in. I had been out at work that day fixing about planting. It was between midnight and day. When I woke up they had come to the door and knocked it down, and were standing holloing. The first I heard was, "Come out, come out, G—d—n you, come out." It amazed and scared me, and I got up. I stood there a few minutes, and after a time I came out among them. They said, "Shoot him, shoot him, shoot him." I said, "What for?" They said never mind, they would shoot me. They would come behind me and burst caps behind my head, and snap their pistols, and it scared me within an inch of my life. They asked who I was. I said, Sam Bonner. They said, "Did you vote for Scott?" I said, "Yes." They said, "Yes, I can smell you now, you are a d—d radical." I told them I was that, and I thought it was right. The went on and whipped my mammy and sister, and beat them and knocked them about there, and took me up about fifty yards and whipped me. They beat me; some of them were standing on my head and some on my feet, and they beat me and shot off a little after that and then went away.

Question. How many were there?

Answer. Between seven and eight came to the house. It looked to me to be about thirty by the horses out in the old field, but there was not that many come to the house.

Question. How long were they there?

Answer. About half an hour.

Question. How were they dressed?

Answer. With horns and gowns, and all kind of things.

Question. Had they any arms?

Answer. Yes, sir; shooting arms; they had a lot of them.

Question. What kind?

Answer. Repeaters, only repeaters; no guns.

Question. When they whipped you, how did they do that?

Answer. They stripped me off, and stripped my shirt over my head. They had blindfolded me when they came out, and some stood on my head and some on my feet, and got over me and whipped.

Question. What did they whip you with?

Answer. Brush of every kind.

Question. Hickory?

Answer. No, sir; but great big brush.

Question. Did they hurt you?

Answer. Yes, sir. My hand here has been hurt for three months. It struck me so in there, it cut me every time and bruised me all up.

Question. How did they whip your mother?

Answer. They said she was of that principle, too.

Question. How did they whip her?

Answer. She had just got up with her underclothes on. They fetched her out in the yard and whipped her.

Question. How?

Answer. With the same sort of brushes. She was whipped twice. They whipped her there when they whipped me; and she went off to church, and they came again and whipped her and my sister both, twice. When they had a meeting about there, they were whipping all they could find.

Question. You do not mean that she was whipped twice that night?

Answer. No, sir; it was two or three weeks after that. They whipped her about as bad as me that night.

Question. How was your sister whipped?

Answer. About the same. They whipped her and mammy about as bad as me.

Question. Did they give any reason for whipping your mother?

Answer. They said, "D—n her, she is a nigger; just whip it on her, d—n her." They intended to whip that all out of her. I told them I tried to behave myself, and dc what was right.

Question. Had you had any quarrel with any one which you could assign as a reason for this?

Answer. No, sir; I never had a word with any one or anything of the sort. I asked them what they had against me, what I had done. They said nothing. They said G—d

d—n me, I had done nothing, but they 'low'd to whip me to let me know I had a master.

Question. Had you taken any other part in politics than voting?

Answer. No, sir; I only voted one solid ticket from the commencement until now.

Question. Had you been in any office or done any more than vote?

Answer. No, sir; I am just solid Sam, and nothing else; I voted when the time around, but had no fuss at all.

Question. Are you married?

Answer. Yes, sir.

Question. Is your wife there?

Answer. Yes, sir; I just rented the ground, and my mother and sister is there.

Question. Where was your wife at that time?

Answer. She was at her daddy's that night, about a mile from there.

Question. She was not whipped?

Answer. No, sir.

Question. Have you any children?

Answer. Yes, sir; two little children.

Question. Were they there?

Answer. No, sir; they were with her.

Question. Have you felt safe since then?

Answer. The settlement people have told me they would not pester me any more.

Question. Why?

Answer. They said they were determined to whip them all out anyhow.

Question. Have you felt safe in your house?

Answer. I have staid in my house ever since.

By Mr. VAN TRUMP:

Question. How long have you been in town?

Answer. I started Thursday morning about an hour before day.

Question. Where have you staid?

Answer. I have been around in the yard every day.

Question. When did this happen?

Answer. 'Long the last of March, between March and April; about corn-planting time.

Question. Did you know any of the men?

Answer. No, sir; they were disguised, and they blindfolded me.

Question. Were they on horseback?

Answer. Yes, sir; there were lots of horses where they hitched them, but they didn't come to the house.

Question. How do you know they were on horseback?

Answer. Because I saw afterward where they had hitched them.

Question. What time of night was it?

Answer. Between midnight and day.

Question. What sort of a night was it?

Answer. A moon-shiny night.

Question. Were they completely covered up?

Answer. You could just see that there was the shape of men.

Question. You could not tell whether they were black or white?

Answer. No, sir.

Question. You say that they were covered up?

Answer. Yes, sir; with all kind of fixings, and gowns on.

Question. Who did you rent your land of?

Answer. Of Thomson Robb and of Mr. Perry Lemons.

Question. Had not you and some other colored man had a dispute as to who should have Robb's land?

Answer. No, sir. Thomas Corwin was living on Mr. Robb's land.

Question. A negro?

Answer. No, sir; a white man. He staid until crop time, and got dissatisfied and vanished away, and this land was left vacant, and Mr. Robb got me to come over and take it.

Question. You never had any quarrel with any colored man about it?

Answer. No, sir.

Question. Did you belong to a Loyal League up there?

Answer. Yes, sir; up about Macedonia store.

Question. Do you belong to a military company?

Answer. No, sir; I never was there. They were making up one, but I didn't belong to it.

Question. What was the first thing these men said to you?

Answer. They asked me who I was; who lived there. I told them. They said, "Come out, come out; G—d d—n you; you are the very one I have been hunting."

Question. What else did they say?

Answer. They commenced talking to me and wanted me first to get down and pray. I told them I could not. They said, "G—d d—n you, get down." I told them, "If you will give me time, I will try." They said, "Get down, G—d d—n you, I will make you pray," and some of them kicked me and knocked me about. After that they blind-folded me and led me out of doors, and let me stand there until they whipped my mammy and sister, and then they carried me off.

Question. Did they whip them first?

Answer. Yes, sir.

Question. Where were you?

Answer. Standing there in a yard before the door.

Question. Did any of them talk about why they whipped them?

Answer. Yes, sir; the two that were standing around me.

Question. They told you to pray?

Answer. Yes, sir; they told me that the first thing, to pray. I told them I would try if I had time.

Question. They asked first who lived there?

Answer. Yes, sir; that was before I came out doors.

Question. You told them it was Sam Bonner? And they told you that was the very fellow they were after, and to come out?

Answer. Yes, sir.

Question. And then to pray?

Answer. Yes, sir; and I could not pray.

Question. Were your mother and sister whipped at that time?

Answer. They had not come out then, but some of them went and brought them out, and whipped them mighty hard. I was standing there while they were whipping them.

Question. When they got done with them what did they do with you?

Answer. They told me to go on.

Question. Where to?

Answer. They started up to the horses, where they were hitched by the old field. I started blind-folded, and they whipped and pushed me along. They had to cross a branch, and they gave me some lashes there and whipped me.

Question. Then what?

Answer. After they whipped me they shot off their pistols and told me to run.

Question. Did you run?

Answer. Yes, sir.

Question. Did they shoot at you?

Answer. Yes, sir; I heard the shots.

Question. Now I have taken you twice over what was said and done there.

Answer. Yes, sir; I have told you every word I can recollect.

Question. How is it you have not told in these two times that you have gone through this affair, how you voted? Did they ask you that, or have you forgotten?

Answer. They asked me that when I came out.

Question. Why did you not tell me that?

Answer. I forgot that in speaking so fast.

Question. You forgot these things these men in town have been telling you to swear to?

Answer. No, sir; they didn't tell me I had any swearing to do. They came and summoned me. I didn't know any of them.

Question. You say you have been in the yard out here since last week?

Answer. Since Thursday; yes, sir.

Question. Have some of the white people been down among you colored people to talk with you?

Answer. No, sir; only Mr. Gentry. He has been to me.

Question. Was he the only man?

Answer. Yes, sir; the only man who came to talk to me about what I would swear to.

Question. What did he ask?

Answer. Mr. Gentry married Mr. Camp's daughter, you know, and he asked me when I came up about their whipping me. And he is the only man except this man—your doorkeeper here. He asked me if I had been whipped. I told him yes; that was all.

Question. Was not Parson Cummings down among you colored people several times?

Answer. No, sir; I don't know him.

Question. Do you know Mr. Poinier?

Answer. Yes, sir.

Question. Do you know Preacher Cummings?

Answer. No, sir; I know Mr. Poinier; he never spoke to me a word.

Question. I called your attention twice to all that took place; you say now that you forgot to say that they inquired of you whether you voted radical?

Answer. Yes.

Question. How came you to forget it?

Answer. The way I forgot was, I didn't think of those two words.

Question. These are the very important words that you are to swear to.

Answer. I told you over once. I thought that would do.

Question. Did you think that way when I was talking to you?

Answer. I thought I had told you.

Question. Did you think of that—that you had once told me, and it was not worth while to repeat it?

Answer. Yes, sir; I had told you all that I knew.

Question. Why did you not think that in reference to all I asked you about?

Answer. You asked me if I recollected this and that, and I told you yes; and I didn't put that in because I had told you this. That is all I know. I have put it in as I told you all.

By Mr. STEVENSON:

Question. Where do you live?

Answer. On Mr. Lemons's land near Grassy Pond, about half a mile from there.

SPARTANBURGH, SOUTH CAROLINA, July 10, 1871.

JEFFERSON HUSKINS (colored) sworn and examined.

By the CHAIRMAN:

Question. Do you live in this county?

Answer. Yes, sir.

Question. In what part of it?

Answer. About three miles north of Limestone.

Question. How long have you lived there?

Answer. Four years.

Question. Were you born in this county?

Answer. No, sir.

Question. Where were you born?

Answer. In Lincoln County, North Carolina.

Question. What do you do down there?

Answer. Farm.

Question. Have you land rented?

Answer. Yes, sir; I have land rented. I am working for Mrs. Carpenter on the shares. She lives up a mile below Grassy Pond post office.

Question. Have the Ku-Klux been to see you?

Answer. Yes, sir.

Question. When?

Answer. About the last of January.

Question. Go on and tell exactly what they said and did.

Answer. The first thing I knew they lammed my door down and ordered me to come out. Just as quick as I came out they run me about four hundred yards out in the woods. They asked me if I did not vote a radical ticket. I told them I did. They asked me what I voted that damned ticket for, for that damned nigger Scott. I told them I thought I was doing my duty to do so according to the oath I took. They said, "Damn you and your oath too; come out here." They said, "Now you got to cuss him, or I will shoot you;" and, you know, I had to do it.

Question. Had to do what?

Answer. I had to cuss Scott; I did it. They took me then out to the woods and told me to pull off my shirt. I told them I would like to know what they were going to whip me for; if I had done anything wrong. They said, "Pull off your shirt, you damned son of a bitch, none of that talk;" and one stepped up alongside of me and jerked me by the collar and jerked it off, and told me to lie down. I told him I could not do it. They commenced whipping me. They jerked me down and two of them stood on my neck and the balance whipped; and the sentence was "twelve lashes apiece," and there were nine of them; but I did not know the men.

Question. How many lashes did they give you?

Answer. That was the sentence they passed; I could not recollect, they were lamming so hard; but that was the sentence before they commenced.

Question. How did they whip you?

Answer. Naked, and as hard as they could.

Question. With what?

Answer. With hickories.

Question. Was the skin broken on your back?

Answer. Yes, sir; they cut me all to pieces. I picked the splinters out of my back, for two or three days afterwards.

Question. Did they give you any other reason than that which you have mentioned for whipping you?

Answer. No, sir; no other reason.

Question. How many men were there?

Answer. Nine.

Question. Was that all that were there?

Answer. That was all that were there that I saw.

Question. How were they dressed?

Answer. Some had on these great horns, some had on false faces, and some had their coats turned wrong side outwards, and one had a handkerchief tied over his mouth, and some had horns.

Question. Were they on horseback or on foot?

Answer. They came to the house a-foot, but they took me out to where the horses were tied in the woods.

Question. At what time of night was this?

Answer. About 1 o'clock in the night.

Question. Had you had any quarrel with anybody that would account for such a proceeding against you?

Answer. No, sir, none at all; nor none of my neighbors had any fuss with me for the last four years.

Question. Had you taken any other part in politics there than voting?

Answer. No part, only the republican party.

Question. Were you an officer of any kind?

Answer. No, sir; only I taught a Sunday school for the colored population.

Question. Can you read and write?

Answer. Yes, sir; a little.

Question. Where did you learn that?

Answer. In North Carolina.

Question. Before you were free?

Answer. I was always free.

Question. That, then, was the only public duty you had performed that you know of?

Answer. That is all.

By Mr. VAN TRUMP:

Question. How did they break your door down?

Answer. I cannot tell. I was asleep when it fell. I reckon they ran against it. They both landed in the floor.

Question. You were in bed?

Answer. Yes, sir. They said "Hilloa, sir;" and when they said that they lammed both my doors down. They took us out and whipped us every one, all but one. They run me off and whipped my wife and three of my children.

Question. How came it that you did not tell that in answer to what the chairman inquired?

Answer. I have stated down here—

Question. "Down here;" down where?

Answer. Down in the office.

Question. What office?

Answer. Mr. Cannon's.

Question. The post office?

Answer. Yes, sir.

Question. Why did not you answer that to the chairman?

Answer. He never asked me if they were whipped, but what was done to me.

Question. He was asking you generally about Ku-Klux and visiting you, and what they did.

Answer. I did not understand him. When they run me off three of them run me in the woods and the other six staid there.

Question. This you say you had told in the post office?

Answer. Yes, sir.

Question. About whipping your wife and children?

Answer. Yes, sir.

Question. Did you think that because you had told it there you were not under obligation to tell it here?

Answer. He did not ask me that there.

Question. He asked you what took place?

Answer. That is what took place.

Question. How came you to tell it in the post office?

Answer. Mr. Cannon asked me about it.

Question. What did he ask you?

Answer. He asked me information for me to tell.

Question. What sort of questions?

Answer. He asked me how many of them they whipped.

Question. You told him?

Answer. Yes, sir.

Question. Is that all?

Answer. I told him how many they whipped.

Question. Is that all?

Answer. He set it down, this gentleman who asked me that question.

Question. Did the postmaster set it down?

Answer. Yes, sir.

Question. Was anybody else there?

Answer. I don't know who all was there.

Question. Was the postmaster asking you questions and somebody else setting it down?

Answer. I don't know whether he asked me all the questions, but there were some two or three of them.

Question. Did the postmaster ask the questions and somebody else set them down?

Answer. I don't know who they were. When they run me off the other six staid there and whipped the balance of my family before they came after me. They told me so. I saw they had whipped them, but I saw that afterwards.

Question. I asked you if while the postmaster was asking you questions somebody else was writing it down?

Answer. It was writ down.

Question. Who wrote it down?

Answer. I don't know who it was.

Question. You say on your oath you don't know?

Answer. No, sir; I don't know.

Question. Did he only ask you how many the Ku-Klux had whipped?

Answer. He asked how many they had whipped at my house, and I told him.

Question. Is that all that he asked?

Answer. Yes, sir.

Question. You swear that is all?

Answer. That is all I recollect now.

Question. Did he not ask you whether the Ku-Klux asked you whether you were a radical or not?

Answer. Down here?

Question. Yes.

Answer. I don't remember whether he did or not. I could not say right plumb whether he did or not.

Question. How many other colored people were there when you were there?

Answer. I don't think there was any but me.

Question. Who asked you to go there?

Answer. I don't remember.

Question. Are you sure you do not?

Answer. I don't remember at present.

Question. How much money did you get to go there?

Answer. To go where?

Question. To the post office.

Answer. I didn't get any.

Question. Have you got no money at all for being a witness here?

Answer. How could you expect me to get money?

Question. You can answer whether you did or did not.

The CHAIRMAN. Answer the question.

Answer. Answer the question whether I got money to come here as a witness? It was promised to me.

Question. By whom?

Answer. I do not know who; he said I would get so much a day. I did not know I would get anything. I received a dollar Saturday evening to bear my expenses until this morning.

The CHAIRMAN. I ordered that five negro witnesses, who were reported as being in attendance waiting and in want of subsistence, should be furnished with one dollar apiece.

Mr. VAN TRUMP. There is no objection to that, if they had come here, and were out of money and waiting.

Question. That is all you received?

Answer. Yes, sir; all.

Question. You say you were whipped with hickories?

Answer. Yes, sir.

Question. Where did they get them?

Answer. They just jerked them down off of the trees.

Question. Green trees?

Answer. Yes, sir; they looked green next morning.

Question. What sort of wood ?

Answer. I believe the principal part of them were gum.

Question. How did the splinters get into your back, if it was green gum wood ?

Answer. I reckon it was because they whipped me so hard.

Question. Do you swear that ?

Answer. Yes, sir.

Question. That being green gum ?

Answer. Yes, sir ; I did not see any other sort.

Question. When were the splinters taken out ?

Answer. Next day.

Question. Did not you say a minute ago it was two or three days afterward ?

Answer. They took out one here in my shoulder the next day, and the day afterward one on my back, over here ; that was two or three days afterward.

Question. Do you recollect that distinctly, that splinters were taken out of your back ?

Answer. Yes. I know how they hurt.

Question. How deep a gash did it cut ?

Answer. It cut into my back in some places six inches long ; in some places only an inch.

Question. Did they whip you with the butt end of the sticks ?

Answer. If they did I did not know it.

Question. Was it with green gum switches ?

Answer. Yes, sir.

Question. And with those green gum switches they whipped you so that splinters were taken out the next day and two or three days afterward ?

Answer. Yes, sir.

By Mr. STEVENSON :

Question. They just jerked down the limbs ?

Answer. Yes, sir ; great limbs.

Question. With the prongs and all on it ?

Answer. Yes, sir.

Question. And after a few licks the limbs might break ?

Answer. Yes, sir ; they wore them out on me. The biggest I saw were not bigger than my thumb, and they wore them out down to that long.

Question. Do you mean about two feet in length ?

Answer. Yes, sir.

By Mr. VAN TRUMP :

Question. How much did they wear off ?

Answer. I cannot say. I saw the butts next day.

By Mr. STEVENSON :

Question. How long ought they to have been, the butts being of that size ?

Answer. About four feet.

By Mr. VAN TRUMP :

Question. How many did you find ?

Answer. Hickories ?

Question. Yes, hickories and gums, whatever they were.

Answer. I do not think I found more than five or six.

Question. Were they all worn down like that ?

Answer. I do not know that all were so short, but the main one was about that long.

Question. How did you feel after you were whipped ?

Answer. I felt like they would kill me.

Question. Did you walk to the house ?

Answer. I did after a while.

Question. How long did you stay there ?

Answer. Five or ten minutes.

Question. But you did get up and walk to the house ?

Answer. Yes, sir. I would have laid longer, but they told me to get up or they would shoot me.

Question. After five or six green gum switches were worn out on you so much as to stick splinters in you ?

Answer. Yes, sir. Then they told me they would shoot me if I did not. They took me by the hand and helped me up.

Question. Did they lay on their best licks ?

Answer. Yes, sir.

Question. Did they say they wanted to kill you then and there ?

Answer. No, sir; they said that they wanted to whip me because I voted the radical ticket.

Question. What did they whip your wife and children for?

Answer. Just because they could, I reckon.

Question. Did they whip your child because you voted the radical ticket?

Answer. Yes, sir; my little girl, nine years old. They told me that after I got back.

Question. Did they whip her much?

Answer. Three lashes. They give my son four, and my wife a few licks.

Question. Your wife told you that?

Answer. Yes, sir.

Question. What did she say it was for?

Answer. They said, "Get up and let us whip you." They whipped them in the yard. One came into the yard after they were through and said, "I didn't whip none yet;" and he hit them all a lick apiece again.

Question. How many were there with you?

Answer. Three.

Question. How many were at the house?

Answer. Six. There were three carried me off.

Question. Did they say why it required six to stay at the house to whip the children, and only three for you?

Answer. No, sir; I don't know what they said. Three run me off, and six staid behind.

Question. You say there were nine, and they gave you twelve licks apiece?

Answer. That was their law.

Question. Why do you say it was their law?

Answer. They said it was their law.

Question. Did they threaten you afterward?

Answer. They told me if I did not leave in ten days they would come back and kill me.

Question. You did not leave?

Answer. Yes, sir; I moved away.

Question. Where?

Answer. Two miles and a half.

Question. They could still reach you quite as easily, could they not?

Answer. It looks like they could; but they told me to leave that place, and I did.

Question. Did you know any of these men?

Answer. No, sir; none of them.

Question. Were they completely disguised?

Answer. I did not know them no more than I do you or your name.

Question. Do you know whether they were white or black?

Answer. No, sir; because they run me in an old field. After they did what they wanted to at the house, then they all came out and whipped me.

Question. Who did you tell about this?

Answer. When, before now?

Question. Yes.

Answer. I never told any one, only that the Ku-Klux came.

Question. You have told people, then, before this time that the Ku-Klux had visited you?

Answer. Yes, sir.

Question. How soon did you do that?

Answer. I told that next morning.

Question. To whom?

Answer. I forget who, but I told them the Ku-Klux had been on me. I had been laying out for about three months, and it looked like it was no use to lay out; they caught me anyhow.

Question. How laying out?

Answer. To keep them from whipping me.

Question. Sleeping out of your house?

Answer. Yes, sir.

Question. What made you do that?

Answer. They were so strong in there that I was afraid of them. They whipped all around there.

Question. Have you slept out of your house since?

Answer. No, sir.

Question. You are not so afraid of them now as before?

Answer. I am afraid of them yet; but they never pestered me since.

Question. Did you tell anybody that they whipped you and your wife and children; you say you told that the Ku-Klux had visited you?

Answer. Yes, sir.

Question. Did you tell them that they had whipped you?

Answer. Yes, sir; that they had whipped us all. Some asked how many; I told how many there was in the family.

Question. And you did not know any of them?

Answer. Not one of them.

SPARTANBURGH, SOUTH CAROLINA, July 10, 1871.

HARRIET HERNANDES (colored) sworn and examined.

By the CHAIRMAN:

Question. How old are you?

Answer. Going on thirty-four years.

Question. Where do you live?

Answer. Down toward Cowpens' Furnace, about nineteen miles from here.

Question. Are you married or single?

Answer. Married.

Question. Did the Ku-Klux come to your house at any time?

Answer. Yes, sir; twice.

Question. Go on and tell us about the first time; when was it?

Answer. The first time was after last Christmas. When they came I was in bed. They hallooed, "Hallo!" I got up and opened the door; they came in; they asked who lived there; I told them Charley Hernandes. "Where is he?" they said. Says I, "I don't know, without he is at the Cowpens; he was beating ore there." Says he, "Have you any pistol here?" Says I, "No, sir." Says he, "Have you any gun?" Says I, "No, sir." He took on, and, says he, "Your husband is in here somewhere, and damn him, if I see him I will kill him." I says, "Lord o' mercy, don't shoot in there; I will hold a light under there, and you can look." I held a light, and they looked. They told me to go to bed; I went to bed. Two months after that they came again.

Question. How many men were there at that first visit?

Answer. Eight.

Question. How were they dressed?

Answer. All kinds of form; but the first ones that came would not look me in the face, but just turned their backs to me, for they knew I would know them.

Question. Had they disguises?

Answer. Yes; horns and things over their faces; but still, that did not hinder me from knowing them if these things were off.

Question. Did you know any of them?

Answer. I did not know any of the first ones, to say truthful, but the last ones I did know.

Question. Had the first ones arms—guns or pistols?

Answer. Yes, sir; they had their guns and pistols. They came with a long gun, and told me they were going to shoot my damned brains out if I did not tell where my husband was.

Question. What time of night was it?

Answer. Away between midnight and day.

Question. How long had your husband lived there?

Answer. We have been living there three years, now.

Question. Is he a mechanic or laboring man?

Answer. He is a laboring man.

Question. He was working at the furnace?

Answer. Yes, sir.

Question. Go on to the second time; you say it was two months afterward?

Answer. Yes; just exactly two months; two months last Saturday night when they were at our house.

By Mr. VAN TRUMP:

Question. Two months from now?

Answer. Two months from Saturday night last. They came in; I was lying in bed. Says he, "Come out here, sir; come out here, sir!" They took me out of bed; they would not let me get out, but they took me up in their arms and toted me out—me and my daughter Lucy. He struck me on the forehead with a pistol, and here is the scar above my eye now. Says he, "Damn you, fall!" I fell. Says he, "Damn you, get up!" I got up. Says he, "Damn you, get over this fence!" and he kicked me over when I went to get over; and then he went on to a brush pile, and they laid us right down there, both together. They laid us down twenty yards apart, I reckon. They had dragged and beat us along. They struck me right on the top of my head, and I thought they had killed me; and I said, "Lord o' mercy, don't, don't kill my child!"

He gave me a lick on the head, and it liked to have killed me; I saw stars. He threw my arm over my head so I could not do anything with it for three weeks, and there are great knots on my wrist now.

By the CHAIRMAN:

Question. What did they say this was for?

Answer. They said, "You can tell your husband that when we see him we are going to kill him." They tried to talk outlandish.

Question. Did they say why they wanted to kill him?

Answer. They said, "He voted the radical ticket, didn't he?" I said "Yes," that very way.

Question. At what time did they say that to you?

Answer. That was this last time.

Question. Had your husband any guns or pistols about his house?

Answer. He did not have any there at all. If he had, I reckon they would have got them.

Question. How old is your daughter?

Answer. She is fifteen.

Question. Is that the one they whipped?

Answer. Yes, sir.

Question. Is this all you know about it?

Answer. I know the people that came.

Question. Who were they?

Answer. One was Tom Davis, and there was Bruce Martin and his two sons. There are only four that I knew. There were only six that came that last night.

Question. When did your husband get back home?

Answer. He went back yesterday.

Question. When did he get back home after this whipping? He was not at home, was he?

Answer. He was lying out; he couldn't stay at home, bless your soul!

Question. Did you tell him about this?

Answer. O, yes.

Question. What caused him to lie out?

Answer. They kept threatening him. They said if they saw him anywhere about they would shoot him down at first sight.

Question. Had he been here as a witness?

Answer. No, sir. They never saw him, but they told us what to tell him.

Question. When you said, in reply to my question, that he went home yesterday; had he come up here as a witness?

Answer. No, sir; he came here with me.

Question. Had he been afraid for any length of time?

Answer. He has been afraid ever since last October. He has been lying out. He has not laid in the house ten nights since October.

Question. Is that the situation of the colored people down there to any extent?

Answer. That is the way they all have to do—men and women both.

Question. What are they afraid of?

Answer. Of being killed or whipped to death.

Question. What has made them afraid?

Answer. Because men that voted radical tickets they took the spite out on the women when they could get at them.

Question. How many colored people have been whipped in that neighborhood?

Answer. It is all of them, mighty near. I could not name them all.

Question. Name those you remember.

Answer. Ben Phillips and his wife and daughter; Sam Foster; and Moses Eaves, they killed him—I could not begin to tell all—Ann Bonner and her daughter, Manza Surratt and his wife and whole family, even the least child in the family, they took it out of bed and whipped it. They told them if they did that they would remember it.

By Mr. VAN TRUMP:

Question. How do you know that?

Answer. They told the black people that was whipped.

Question. You know it by the people who were whipped telling you of it?

Answer. Yes, sir.

By the CHAIRMAN:

Question. You have seen those people that were whipped?

Answer. Yes, sir; and I have seen the marks on them, too.

By Mr. STEVENSON:

Question. How do colored people feel in your neighborhood?

Answer. They have no satisfaction to live like humans, no how. It appears to me like all summer I have been working and it is impossible for me to enjoy it.

Question. What do they do?

Answer. They just shoot down as they come to them, or knock them down.

Question. What do the colored people do for their safety?

Answer. They lie out all night.

Question. Is that generally the case?

Answer. Yes, sir; some families down there say they don't think they can get tamed to the house in five years.

Question. Does this fear extend to women and children and whole families?

Answer. Yes, sir; they just whipped all. I do not know how bad they did serve some of them. They did them scandalous; that is the truth—they did them scandalous.

By Mr. VAN TRUMP:

Question. You say they just shoot down and whip all through there?

Answer. Yes, sir.

Question. Tell us how many they have shot down in your neighborhood.

Answer. I cannot exactly tell you; I have heard so much.

Question. Heard of so many being killed?

Answer. Yes, sir.

Question. How many?

Answer. Some five or six, that I know of.

Question. Up there around Cowpens?

Answer. Yes, sir; and the other side of that, down the river.

Question. How far off?

Answer. Not more than ten miles down.

Question. Can you name any one that was shot down?

Answer. Charity Phillips was shot down and whipped bad. As for any more I cannot tell to be certain; it was done only as I heard it. I will not tell no lie about it.

Question. You say all the colored people up there are sleeping out?

Answer. In general. They are mighty near the last family sleeps out.

Question. That is the case with almost all of them?

Answer. Yes, sir.

Question. What do you mean by the last of the families?

Answer. All.

Question. All in that neighborhood?

Answer. Yes, sir.

Question. How wide a stretch of country around about do you speak of?

Answer. It is mighty near six miles around.

Question. How many colored people live in that space?

Answer. I cannot tell you, to tell the truth, how many live there.

Question. Do you know how many colored votes are in that township?

Answer. There are five or six on Cowpens Hill, right around me.

Question. But in the whole Cowpens country?

Answer. Lord o'mercy, I can't tell.

Question. Have any colored people moved away from there?

Answer. Yes, sir; about two months ago Moses Eaves and his family, and Sam Foster and his family moved away.

Question. Where to?

Answer. To Tennessee. They said if they did not leave they would kill them.

Question. How many do you say there were when these men first came?

Answer. Eight came in the house.

Question. What they seemed to be after and asking for were pistols and guns?

Answer. Yes, sir.

Question. They said nothing else?

Answer. Yes, sir; they asked for my husband. I told them, "At the furnace, I reckon."

Question. They seemed to be after him, too?

Answer. Yes, sir; as well as guns; and he says, "You tell him when we get him here that I will kill him for certain." They talked outlandish. They would not turn their faces to let me see them. One said, "You look like you were scared." I says, "I am scared;" and one rubbed his pistol in my face.

Question. Were those that came the second time the same as those that came the first time?

Answer. No, sir.

Question. How do you know?

Answer. I knew they were not.

Question. How do you know?

Answer. Because those that came the last time lived right at us in about a mile and

a half, or worked right in that neighborhood; and ever since we have been there nigh them they can't face me, can't look at me.

Question. But how do you know that these six were not part of those who came the first time?

Answer. People say the others came from below, and these came from right above us.

Question. How did the people know they came from below?

Answer. They had been after them so much, and these here wanted me to work for them a good while, and I could not work for them then.

Question. You say the first ones would not let you look at their faces?

Answer. No, sir.

Question. So you could not tell who they were?

Answer. No, sir.

Question. Then they might have been the same as the second ones?

Answer. No, sir; I do not think so.

Question. Is that only because the people said they were from below?

Answer. No, sir; I could not say they were the first ones at all; not any of them.

Question. What is your belief?

Answer. They were not the same men at all.

Question. You say one of the last six was Tom Davis?

Answer. Yes, sir.

Question. Was he disguised?

Answer. Yes, sir.

Question. What had he on?

Answer. His horns and a long blue coat. He was the one that told them to lay us down, and then just jumped right on the top of my head.

Question. Could you see his face?

Answer. Not all of it. I had just seen him the day before.

Question. Had you never seen him before?

Answer. Yes, sir; I knew him all the time.

Question. Why should seeing him the day before make you know him better than seeing him generally?

Answer. I see him passing about generally.

Question. Could you see him that evening?

Answer. Yes, sir.

Question. How could you see his face under the disguise?

Answer. I knew it was him; I could hear him catch himself in talking.

Question. Did not you say he talked outlandish?

Answer. Yes, sir; but they would catch themselves in talking.

Question. Did they all talk?

Answer. Yes, sir.

Question. Every one?

Answer. No, sir; one held the horses.

Question. Only five acted?

Answer. Yes, sir; only five whipped us.

Question. Had they six horses?

Answer. Yes, sir; they took my little gal and one of the horses tails struck her, for she was nigh the horses.

Question. Were the horses disguised?

Answer. No, sir.

Question. It was a pretty bold fellow that came that way?

Answer. Yes, sir; that was one of Martin's sons.

Question. Which one?

Answer. I don't know; both were along.

Question. What are their names?

Answer. Romeo and Tine.

Question. Which one was it?

Answer. I think it was Romeo.

Question. Why?

Answer. He was so brickety.

Question. What do you mean by that?

Answer. Fidgety—sombdy that wants to get into business and don't know how.

Question. That you call brickety?

Answer. Yes, sir.

Question. He got into business that night?

Answer. Yes, sir; and I did not like it much.

Question. Why was he brickety?

Answer. Because he jumped on top of me and beat me.

Question. That is the reason you knew it was Romeo?

Answer. Yes, sir; and I have seen them so often since, and I know their talk.

Question. Were they not all brickety?

Answer. I think they were all brickety.

Question. What other reason have you to think that was Romeo that took your child to the horse?

Answer. Because I knew it was not any person else.

Question. Then if you are correct it must have been him.

Answer. I knew it was not any person else; and the truth is the prettiest thing any person can come up here with.

Question. I am glad you are attached to the truth; but what was the reason why you thought it was Romeo?

Answer. Because that family wanted me to work for them and I could not work for them; I was working for another man.

Question. How long was that time when they wanted you to work before this whipping?

Answer. Not more than a month.

Question. Before the last visit?

Answer. Yes, sir.

Question. What took place that you could not work?

Answer. My husband rented some land and I had to come home.

Question. Did they get mad?

Answer. Yes, sir.

Question. What did they say?

Answer. They said they were going to have me Ku-Kluxed.

Question. What did they say?

Answer. They told me right there, bless me.

Question. Bless you?

Answer. I say bless you.

Question. I say bless you; they told you they were going to have the Ku-Klux on him?

Answer. Yes, sir.

Question. Who was present?

Answer. Only old Missus Williams, and she said, "Harriet, you'll be Ku-Kluxed for that."

Question. Who is she?

Answer. She is a white woman. It was her son I was to work for. He wanted me to work for him.

Question. What is his name?

Answer. Augustus Williams.

Question. I thought it was the Martins you had the trouble with?

Answer. They were the ones that whipped me. I thought it was Mr. Williams that held the horses.

Question. You said the Martins wanted you to work for them and you could not?

Answer. Yes, sir, all the family; they were all kin.

Question. And when you could not work for them they said they would have you Ku-Kluxed?

Answer. Yes, sir.

Question. Who said that, Bruce Martin?

Answer. Yes, sir.

Question. Was Mrs. Williams there?

Answer. Yes, sir.

Question. She heard them say that?

Answer. Yes sir.

Question. They were bold enough to say before you and Mrs. Williams that you would be Ku-Kluxed?

Answer. Yes, sir, that I would be Ku-Kluxed.

Question. That is the reason you think old Martin and his two sons were there?

Answer. Yes, sir, and I knew they were there.

Question. Is that the only reason why you think they were there?

Answer. Yes, sir.

Question. You considered that it was them for the reason that they had said they would Ku-Klux you because you could not work for them?

Answer. That is why I know it was, for—

Question. That is why you think it was them that did it?

Answer. Yes, sir.

Question. Not because you saw them that night and knew that they were the Martins?

Answer. No, sir; I saw them that night and knew that they were the Martins.

Question. But you knew them because they had threatened you? If they had not threatened you you would not have known they were there?

Answer. Yes, sir, I would have known they were there to-night.

Question. But you would not have known it was these particular people if they had not threatened you?

Answer. No, sir; the man came and bruised me in my arm, taking me out of bed, and I saw his face then.

Question. Did not he have a disguise tied over his face?

Answer. No, sir, he could not have it over; it was too short; and there were two horns, and in their devilment at my house they broke off one of their horns, and I kept it about three weeks, until one day I got mad with it and threwed it in the fire.

Question. Why did not you keep it and bring it here?

Answer. Everybody said they would not do anything with this.

Question. You think the Martins did this for the reason that they were so mad because you would not work for them, that they Ku-Kluxed you?

Answer. Yes, sir; they got so mad that they could not stand it.

Question. Are they white people?

Answer. Yes, sir.

Question. How did you know Tine Martin?

Answer. By his size and his ways, and all.

Question. What sort of ways has he?

Answer. Fidgety ways, brickety ways.

Question. Unlike everybody else?

Answer. Not unlike everybody else, but like all the Ku-Klux.

Question. They must be a brickety family, if both the boys are brickety?

Answer. They are all brickety.

Question. What did they do, that you knew them?

Answer. Their father was there and they all tried to be brickety. One took hold of one arm of my little child and the other took the other arm, and I said, "Lord, don't kill my child;" and he knocked me down with the pistol and said, "Damn you, fall! Damn you, get up!" and I went to get up and he said, "Damn you, get over the fence;" and when I tried to get over he kicked me over, and I knew the horses.

Question. What horses?

Answer. One big black and four big sorrels and a mule. There were two of the Martins, and I reckon they had borrowed a mule of Gus Williams.

Question. Did you talk to him about it?

Answer. No, sir; if I told them I believed it was them they would have come the next night and killed me.

Question. Did you know the mule?

Answer. I knew it; it was Gus Williams's mule. He must have been holding the horses. He must have known that I would have known him if I had touched him almost.

Question. Did not the Martins know that you would recognize the horses?

Answer. I don't know.

Question. You knew Bruce Martin?

Answer. Yes, sir; he is a high, tall man.

Question. Is he the only tall man in that country?

Answer. No; he is a high man and a mean man, too.

Question. You and the Martins cannot get along?

Answer. We can't get along, and couldn't if I wanted to.

Question. Have you had any quarrels?

Answer. No, sir; I give them no chance.

Question. Did they get mad?

Answer. Yes, sir; he got mad. They got mad enough to Ku-Klux me.

Question. This was two months ago?

Answer. Yes, sir.

Question. Is there any justice of the peace up there? Have you any squires?

Answer. I know there was a squire named Blackwell.

Question. You could have come here and made complaint?

Answer. But I was afraid.

Question. Afraid of what?

Answer. Afraid of the Ku-Klux.

Question. What Ku-Klux?

Answer. Of the Martins.

Question. Why are you not afraid of them now?

Answer. I am; I am afraid to go back home.

Question. Are you going home?

Answer. I don't know whether I shall go back or not.

Question. You do not look very much frightened.

Answer. I am. I have got the trembles, sir.

Question. You will not go back home?

Answer. Not unless I see that I can have peace.

Question. Have you your children with you?

Answer. No, sir; one.

Question. Where is the other?

Answer. With my sister.

Question. Where?

Answer. At home.

Question. You were not afraid to leave that girl at home?

Answer. Yes, sir; I was afraid, too; but all could not be at home at once.

Question. Does not the whole neighborhood know that you are down here as a witness?

Answer. No, sir; I do not know that they do. It was night when I came home and people told us to come here, to be here at Friday dinner time.

Question. The people then knew you were to come here?

Answer. The people told us to come.

Question. What people?

Answer. The people were from town. I do not know what you call them.

Question. What do you call them?

Answer. We call them Yankees.

Question. Were they soldiers?

Answer. Yes, sir.

Question. How many?

Answer. Twenty-six.

Question. Did the whole neighborhood know that twenty-six soldiers were there?

Answer. Yes, sir; but I was off at work when they came, and my little gal; but they got my husband to tell me.

Question. You have come down here to be a witness, and twenty-six soldiers told you to come?

Answer. Yes, sir.

Question. In full military array in the neighborhood, so that all the people must have known it?

Answer. I do not know whether they knew it or not.

Question. The Martins must have known it?

Answer. I do not know.

Question. You were not afraid to leave your little daughter?

Answer. Yes, sir, I was; but I had to come; and there was the cow; there had to be somebody there.

Question. Which was the dearest to you, your cow or your daughter?

Answer. The daughter was, but Charley wouldn't fetch us both.

Question. Who is Charley?

Answer. My husband.

SPARTANBURGH, SOUTH CAROLINA, July 10, 1871.

MATTHEW LANCASTER (colored) sworn and examined.

By the CHAIRMAN:

Question. Do you live in this county?

Answer. Yes, sir.

Question. Where do you live?

Answer. At Dr. Jones's.

Question. Do you know in what township that is?

Answer. Glen Springs Township.

Question. How long have you lived there?

Answer. I went there on the 2d of last January.

Question. Have any disguised men, at any time, come to you there?

Answer. Yes, sir.

Question. When?

Answer. On the 4th night of May—on Thursday night.

Question. What did they say and do to you?

Answer. I was lying down before the fire, going to sleep; had made my pallet down before the fire. My wife and children were in bed. A parcel of men rode up on horses—some at the front door, and some at the other door. They said, "Open this door, God damn you—open this door," and kept cursing. I got up as quick as I could, and one clamped me by the bosom, and pulled me out, and said, "God damn you, we've got you now; we come after you, and have got you." He told me to come out. I went on out after him. He turned my back to the balance of them, and another went in the house, behind me, and got a quilt from the bed, and held it over my head. One of them kept saying "Shoot him, God damn him; shoot him." He said it several times, and he raised the quilt over my head, and I thought to myself if I have to die, I

might as well die running; and so, when he raised the quilt, I started to run. As I started, one of them shot at me. I run as fast as I could. Another took after me on a horse, and as soon as he got close on me, he commenced shooting at me, and he shot four more times, so that, in all, they shot at me five times. One ball struck me here in the head, but I got away. I came to a steep bluff, and he could not ride any further, but I run on, and so got shut of him. I was in my shirt-tail, but I kept on running a while. I staid out all night, but I stopped and heard them, and they went on to Wallace Fowler's, and there they shot him down.

Question. Was that the same night?

Answer. Yes, sir. They whipped Moses Jenkins, and then they went to Bill Moss's, and then to my house. Bill Moss got away from them. They shot at him three times, and they came to my house, and I got away after one shot hitting me; but they took Uncle Wallace Fowler out and shot him down.

Question. Where were you hit?

Answer. In my head; you can see the place here, in the side of my head, and here is the bullet. [The witness produces the bullet.]

Question. Did they say anything to you?

Answer. No, sir; I did not give them time to talk much. They threw that over my head, and I suppose if they raised it from my head that they aimed to say something to me; but I broke and run then. I thought I might as well be killed running as any way. I suppose they took that off to talk with me. I allowed that, but some thinks they were going to kill me, and some thinks they were going to whip me.

Question. Is that all that occurred?

Answer. Yes, sir.

Question. Have you told how they were dressed?

Answer. You see they did not give me time to see many of them; but I saw four or five of them had something like white gowns over them, and I thought they had paper faces. They had horns stuck up on each side.

Question. Do you know who they were?

Answer. No, sir; I cannot say that I know who they were, except two. I am willing to say that I know the voices of two—the one that said "Shoot him," and the one that run me on the horse. I am mighty well acquainted with them, and knew their voices.

Question. Who were they?

Answer. The man that said "Shoot him, God damn him," was John Thompson; and the man on the horse that shot at me four times was Tom Zimmerman. He lives on the road from here to where I live. That is the only two I know.

Question. Is that a statement of the whole affair?

Answer. That is about all I know.

By Mr. STEVENSON:

Question. Who is Tom Zimmerman?

Answer. He is the son of old Davy Zimmerman's widow, five miles from here on the road.

Question. Is she on the farm?

Answer. Yes, sir; she owns the place. I do not know how the boys are working it.

Question. How large a place is it?

Answer. I could not say, but it is a smart tract they own there.

Question. Is it a large plantation?

Answer. Not very large, but a good smart plantation. They live in a white house, a tolerably fine house, on the left-hand side as you go down.

Question. How long have they lived there?

Answer. Twenty or thirty years. They came from Orangeburgh up to this country.

Question. Had they slaves?

Answer. Yes, sir; they had some few, not a great many, when they came. He was a broken merchant. He had been worth a great deal, but not much then. He brought up eight or ten slaves in all.

Question. What made you think it was Zimmerman?

Answer. I just knew his voice; I am so well acquainted with him. He is the one that followed me on the horse. He shot four times.

Question. Did he speak to you?

Answer. No more than "Stop, God damn you; I'll have you; here, man, here, stop; God damn you, I'll have you."

Question. Did he keep that up?

Answer. Yes, sir; and every now and then he would shoot at me, but he always missed me. I knew the voices of those two men. Even my wife knew Thompson's voice. She is as well acquainted with him as I am.

By Mr. VAN TRUMP:

Question. What time in the night was it when they came to you?

Answer. About 11 o'clock, I think.

Question. How many of them were there?

Answer. I cannot say. My wife thinks there were twelve or fourteen. She was afraid to come to the door, but looked out of a crack. I did not see but five or six. The man turned my back to the crowd and I could not see how many.

Question. Was it a quilt that was laid over you?

Answer. Yes, sir; they jerked it off the bed.

Question. When you threw the quilt off and started to run, how near were they?

Answer. As close as I am to this gentleman—three yards; but it was not expected by them, it was so quick.

Question. Was this man Zimmerman on the horse at the time?

Answer. Yes, sir.

Question. How far did he run you?

Answer. He run me about two hundred yards right up to the old field.

Question. Did he get close?

Answer. He got right on me once.

Question. Did he shoot then?

Answer. No, sir, not just then; but he shot at me every time he could get a chance, every now and then.

Question. Was not his best chance when he was right on you?

Answer. If he had been ready to shoot, it was.

Question. Did he load his pistol?

Answer. No, sir; it was loaded, I suppose.

Question. Could not he shoot you when he was right on you?

Answer. I think he must have been aiming to do it or he would not have hit me in the head.

Question. Did he hit you?

Answer. I do not know.

Question. I thought it was before you ran that you were shot?

Answer. The first one that shot struck me. I do not know whether he shot it or not.

Question. Were you running then?

Answer. Yes, sir; I had started.

Question. You do not know who shot it?

Answer. No, sir; but I know he shot at me four times after he started.

Question. When did you discover that one of them was John Thompson?

Answer. Because I knew him.

Question. But when did you discover it was him?

Answer. When he said, "Shoot him, God damn him, shoot him."

Question. You did not know it was him except by his saying that?

Answer. That is all. I never saw his face then.

Question. Did not they try to counterfeit their voices?

Answer. I suppose they did. Some of them seemed to talk Dutch.

Question. Dutch?

Answer. Yes, sir; Dutch language. I do not know whether they did it on purpose, or whether some person was Dutch with them.

Question. Do you say they spoke in the Dutch language?

Answer. I don't know; he spoke that way that we call Dutch. I do not know whether they did it on purpose.

Question. Did he change the language or change his voice?

Answer. He just changed his voice. He said, [assuming a bass tone,] "God damn him, here he is," and he picked up a pole like he would strike me; but he did not strike me. One broke to run after me on his feet; but the hen-house had a rail sticking out and he didn't get any farther. I saw next morning where he fell. I did not see him, but my wife saw him.

Question. What sort of ground was it where he fell?

Answer. It was a sort of sandy place. His knee-mark was on the ground.

Question. Where is John Thompson?

Answer. He left. I do not know where he is. I heard some of them say they saw him yesterday passing down to his father's. He lives about a mile from Dr. Jones's.

Question. The only reason why you think it was him was because of his voice, which you heard when he was shooting?

Answer. Yes, sir.

Question. Has he a peculiar voice?

Answer. Yes, sir; a keen voice. He speaks very vigorous. I worked with him last summer.

Question. What sort of man is he?

Answer. A little chunky man, a size larger than I am, a very well-built man.

Question. You were not certain at that time that you knew any of them?

Answer. Only by their voices.

Question. You have got better satisfied since?

Answer. No, sir; I cannot say I am, for I was very well satisfied then that I knew the voices.

Question. How did you know Tom Zimmerman ?

Answer. By his voice.

Question. Where is he ?

Answer. I think he is staying with his mother.

Question. He has not run off ?

Answer. No, sir ; he was there at the last account I heard of him.

Question. How old is he ?

Answer. I reckon about twenty-one or twenty-two.

Question. How old is Thompson ?

Answer. He is older than that ; I suppose about thirty, although he is single.

Question. They were perfectly disguised ?

Answer. Yes, sir.

Question. If they had not spoken you would not have known them ?

Answer. No, sir ; I would have had no idea.

Question. And they were trying to disguise their voices ?

Answer. Yes, sir ; but these I knew ; it did not look like they were trying to talk any other language.

Question. Then Thompson and Zimmerman did not try to counterfeit in language ?

Answer. No, sir ; I do not think they did ; I knew their voices so well.

Question. You think they thought they could not deceive you in that particular ?

Answer. Yes, sir ; I think so.

Question. So they talked right out ?

Answer. Yes, sir ; they talked out like they was not uneasy about it.

Question. That was the night of the 4th of May ?

Answer. Yes, sir.

Question. Did you have Thompson and Zimmerman arrested ?

Answer. No, sir.

Question. Why not ?

Answer. Because we are afraid to do anything about it. Times are very dangerous. We did not know what minute they would come on us and kill us.

Question. What made the times dangerous ?

Answer. They were riding from one place to another all the time. I have been laying out every night since. I have not laid in my house since. I am afraid to stay in my house.

Question. Where do you live ?

Answer. First one place and then another.

Question. In neighbors' houses ?

Answer. No, sir ; out in the old fields, and on rainy nights I get under any wagon shelters or barns, or something on the plantations.

Question. Did they threaten to come back ?

Answer. No, sir ; but I was particularly told by a friend that we had better stay out. They believed they would come back, and we believed it too.

Question. What friend ?

Answer. Andy Weaver or Andy Moore, Wally's son Jim and Boston both told us, and Dr. Jones himself, the man I live with, told me so.

Question. You have been afraid ever since the 4th of May to enter into proceedings to punish them for this wrong ?

Answer. Yes, sir.

Question. When did you change that opinion ?

Answer. After I heard it was requested for us to come up here and deliver ourselves, I felt like I wanted to come.

Question. What changed you ?

Answer. Just hearing that—that word that we were requested to come.

Question. Who requested you ?

Answer. Sam White told me. He is a white man.

Question. What did he tell you ?

Answer. He told me I had better come up here on Monday morning.

Question. You had not been summoned ?

Answer. No, sir ; he said I should come and relate what had been done to me, and said that he had done it and that we had better all do it.

Question. Is he a colored man ?

Answer. No, sir ; he is a white man.

Question. Where does he live ?

Answer. At Glen Springs.

Question. Is he a democrat or a republican ?

Answer. He has always been a republican.

Question. You came without a summons ?

Answer. Yes, sir.

Question. Because he told you to come ?

Answer. I wanted to come myself. I wanted to do anything for our advantage.

Question. What advantage do you expect from this?

Answer. I don't know. I am in hope and trust to God it may be of some advantage.

Question. In what way?

Answer. I don't know. I hope it may be of some advantage.

Question. You do not expect that we will stay here and punish these men?

Answer. No, sir; I don't know about that.

Question. Just as soon as you were told that there was a committee up here that wanted to hear about these things you were anxious to come?

Answer. Yes, sir; I wanted to come.

Question. What did White say you were to come for?

Answer. He said come and relate what had been done to me.

Question. Did he tell you what to relate?

Answer. He told me to relate the truth just as it was. I told him I intended to come and do so.

Question. Do you think there is any more danger in going to a trial justice and getting out a warrant for those men than in coming here to swear to it?

Answer. I could not say as to that.

Question. You did not consider on that? You were not so frightened but what you were willing to run the risk of being a witness here?

Answer. I was willing to run the risk of that.

Question. Then why did you not go to an officer of the law and have these men arrested?

Answer. Times were particular, and we were scared down there and did not know what to do, and may be, if we did it, we would be come on and killed.

Question. Was it any more scary then than now?

Answer. I do not know as it was.

Question. You are lying out now?

Answer. Yes, sir; but I was in hopes may be it would be better times now than it has been, and it would be, may be, less dangerous than if I had them arrested.

By the CHAIRMAN:

Question. Have the colored people the idea that when Congress looks into this thing they will be better protected? Is that their opinion?

Answer. I do not know. I expect a great many is of that idea, and in hopes so.

SPARTANBURGH, SOUTH CAROLINA, July 10, 1871.

DOCTOR HUSKIE (colored) sworn and examined.

By the CHAIRMAN:

Question. What is your name?

Answer. Doctor Huskie.

Question. Are you a doctor, or is your name Doctor?

Answer. That is my name; I am not a doctor.

Question. Where do you live?

Answer. At Barney Huskie's.

Question. Where is that?

Answer. In Spartanburgh District or County.

Question. In what township?

Answer. In Limestone Township.

Question. What is your occupation?

Answer. I farm.

Question. How long have you been living in Limestone Township?

Answer. All my life.

Question. How old are you?

Answer. Twenty-two years old, I believe.

Question. Have the Ku-Klux come to see you at any time?

Answer. Yes, sir.

Question. When was it?

Answer. I don't know what time or what month it was.

Question. How long ago?

Answer. It was just before Christmas.

Question. Tell what they did and said.

Answer. I was eating supper when they came in, me and my wife and her daughter; that is my grand-daughter, I suppose. We were eating supper. They came in and asked me where my brother was. I told them over at my mother's. They knocked me about right smart, and jumped on me and punched me in the sides with their pistols and knocked me over the head; and that is all they did at my house.

Question. Did they say why they did it?

Answer. No, sir; they didn't tell me why they whipped me.

Question. What did they say?

Answer. They just inquired where my other brothers was. I had two brothers, Henry and Madison. They thought they were in my house; they searched under the beds and looked about. I told them where they were, at my father's. They knocked me about right smart, and then went on to my father's.

Question. What is his name?

Answer. Otto Bonner.

Question. How does it come that you call him your father?

Answer. I told them where he lived.

Question. But your name is Huskie?

Answer. Yes, sir; Doctor Huskie.

Question. But his name is Bonner?

Answer. He belonged to Andy Bonner. I go by the name of my old master.

Question. Have you told us all that was done to you?

Answer. Yes, sir.

Question. Did they whip your father that same night?

Answer. No, sir; they whipped my brother Madison.

Question. Is Jeff Huskie your brother?

Answer. No, sir; another stock altogether.

Question. Did you see Madison after they whipped him?

Answer. Yes, sir. He was mighty badly beat up. I hauled him to Charlottesville.

Question. Where is he now?

Answer. In Charlotte.

Question. Did he tell you after they whipped him?

Answer. Yes, sir. He had a gun, I believe, shooting about with it, and they whipped him for it and whipped him for voting. He never said anything to me about voting though.

Question. He told you they whipped him for going about and shooting with his gun?

Answer. Yes, sir.

Question. Have any other colored people in that neighborhood been whipped?

Answer. Yes, sir; right smart of them have.

Question. Who?

Answer. My brother that was here.

Question. Who was he?

Answer. Sam Bonner.

Question. Who else?

Answer. Jeff Huskie was whipped, and Mada and Adeline Clark was whipped in that neighborhood.

Question. Are the colored people frightened at these proceedings of whipping?

Answer. Yes, sir; they are mightily frightened.

Question. Do you know of any of them sleeping out in the woods?

Answer. Yes, sir. I have slept out a great deal this summer myself, and a heap more of them sleep out.

Question. What are they afraid of?

Answer. Afraid of the Ku-Klux. They are afraid the Ku-Klux will come and beat them up. That is what I was afraid of when I slept out.

By Mr. VAN TRUMP:

Question. When did you commence sleeping out?

Answer. I commenced directly after Christmas, after I carried my brother off. I could hear them riding around every night, and listened for them. I took some quilts out and slept out, and my brother, Sam Bonner, slept out.

Question. Are you sleeping out yet?

Answer. No, sir; I am sleeping in the house now.

Question. Why were you particularly frightened? They did not seem to be hunting you?

Answer. They had whipped me once.

Question. You say they knocked you about, but not a regular whipping?

Answer. No, sir; but they kept riding, and I lived right on the road and they came along there.

Question. Did you ever see them afterward?

Answer. Yes, sir.

Question. How often?

Answer. Never more than once or twice afterward—twice I believe.

Question. In daylight or after night?

Answer. After night.

Question. Were they disguised?

Answer. Yes, sir.

Question. Were they disguised when they called on you?

Answer. Yes, sir.

Question. Did you sue them for it?

Answer. No, sir.

Question. You did not know any of them?

Answer. No, sir.

Question. You could not tell who they were?

Answer. No, sir. I was a deacon of our church there that got burnt up, but I don't know anything about who burnt it up. I was a deacon though.

By the CHAIRMAN:

Question. Don't you know anything about who burned it up?

Answer. No, sir.

Question. When was it burned?

Answer. It was burnt in June, I believe, sir.

By Mr. VAN TRUMP:

Question. This last month?

Answer. Yes, sir.

Question. Do you know whether it was burned by anybody or by accident?

Answer. It must have been burnt by somebody, for we had no meeting that week. It must have been burnt by somebody, for it was not about anybody's house, and nobody had any fire in it.

By Mr. STEVENSON:

Question. Could you not hear how it was burned?

Answer. No, sir; I inquired, but I could not hear.

Question. Had you colored people built the church?

Answer. Yes, sir.

